MANAGEMENT COMMITTEE MEETING AGENDA
Wednesday, May 16, 2012, 1:30 p.m.
255 Glacier Drive, Martinez, CA
Conference Room “A”

The Contra Costa Clean Water Program will provide reasonable accommodations for persons with disabilities that are planning to participate in Management Committee meetings.
Contact Fan Ventura at least 48 hours before the meeting at (925) 313-2360.
CONTRA COSTA CLEAN WATER PROGRAM
Management Committee Meeting Agenda
May 16, 2012

AGENDA

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.

1:30 PM - Regional Board Staff Comments/Reports: 10 min.
A. Selina Louie – San Francisco Bay Regional Water Quality Control Board
B. Sean Cross – Central Valley Regional Water Quality Control Board

Presentations:
A. Update to the Bay Area and East Contra Costa County Integrated Regional Water Management (IRWM) Plans (Mark Boucher, Contra Costa County Flood Control and Water Conservation District) 5 min.
B. 2012 Community Clean Water Initiative Election Results (John Bliss and Jesse Salmon, SCI Consulting Group / Tom Dalziel / Don Freitas) 45 min.
C. San Francisco Bay Regional Water Quality Control Board Review of Municipal Annual Reports and Programs (Elisa Wilfong) 25 min.

Consent Calendar: 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. Municipal Operations Committee Meeting Minutes - March 22, 2012 (Elisa Wilfong)
B. Monitoring Committee Meeting Minutes – April 9, 2012 (Jamison Crosby)
C. Management Committee Meeting Minutes – April 18, 2012 (Fan Ventura/ Tom Dalziel)
D. Administrative Committee Meeting Minutes, May 1, 2012 (Tom Dalziel)

Actions:
A. APPROVE the Administrative Committee’s Recommendation to Fill the Senior Watershed Management Planning Specialist Position, and to Request the County to Immediately Conduct an Examination for the Position (Tom Dalziel) 15 min.
B. APPROVE the Public Information and Participation (PIP) Committee’s Example “Local Bag Ordinance” to Promote Consistency Among Municipalities Pursuing Single Use Bag Bans as a Measure to Meet the Trash Load Reduction Mandates Outlined in Provision C.10 (Julie Haas-Wajdowicz, PIP Chair / Tracy Hein) 20 min.

C. NOMINATE and ELECT the Management Committee Chair and Vice Chair for Fiscal Year 2012/13 (Steven Spedowfski, Management Committee Chair / Tom Dalziel) 10 min.

D. APPROVE the Management Committee Chair’s Recommendations for Co-Permittee Participation on Named Subcommittees Effective July 1, 2012 (Steven Spedowfski, Management Committee Chair / Tom Dalziel) 15 min.

E. APPROVE and AUTHORIZE Program to Execute a Contract with Debi Tidd, Our Water Our World (OWOW), Consistent with Per Provision C.9.h. – Point of Purchase Outreach - for a Cost Not to Exceed $27,000 (Tracy Hein) 10 min.

Reports:

A. Model Stormwater Ordinance Update (Elisa Wilfong) 10 min.

B. Central Valley Waterboard – Mercury Control Studies Workplan (Jamison Crosby) 5 min.

C. Contra Costa Clean Water Program Community Calendar Enhancement (Tracy Hein) 10 min.

Information Items: 5 min.

A. BASMAA Committee Meeting Minutes

B. June 7th Workshop - Annual Stormwater Inspection Training

C. CASQA 2011 Annual Report

Old/New Business:

Adjournment: Approximately 190 minutes (4:40 p.m.)
**UPCOMING EVENTS and/or DEADLINES**

**PROGRAM COMMITTEE MEETINGS SCHEDULED NEXT MONTH**

All meetings held at 255 Glacier Drive, Martinez, CA, except as noted.

<table>
<thead>
<tr>
<th>Date</th>
<th>Day</th>
<th>Committee Name</th>
<th>Time</th>
<th>Location</th>
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</thead>
<tbody>
<tr>
<td>May 23</td>
<td>4th Wednesday</td>
<td>Public Information / Participation (PIP) Committee Meeting</td>
<td>10:00 a.m. – Noon</td>
<td>Conference Room “B”</td>
</tr>
<tr>
<td>May 23</td>
<td>4th Wednesday</td>
<td>Development Committee (DC) Meeting</td>
<td>1:30 p.m. – 5:00 p.m.</td>
<td>Conference Room “A”</td>
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<tr>
<td>May 24</td>
<td>4th Thursday</td>
<td>Municipal Operations Committee (MOC) Meeting</td>
<td>10:00 a.m. – Noon</td>
<td>Conference Room “A”</td>
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<tr>
<td>June 5</td>
<td>1st Tuesday</td>
<td>Administrative Committee (AC) Meeting</td>
<td>9:30 a.m. – 12:00 p.m.</td>
<td>Conference Room “G*”</td>
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<tr>
<td>June 11</td>
<td>2nd Monday</td>
<td>Monitoring Committee (MonC) Meeting</td>
<td>9:30 a.m. – 11:30 a.m.</td>
<td>Conference Room “B”</td>
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<tr>
<td>June 20</td>
<td>3rd Wednesday</td>
<td>Management Committee (MC) Meeting</td>
<td>1:30 p.m. – 5:00 p.m.</td>
<td>Conference Room “A”</td>
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<tr>
<td>June 27</td>
<td>4th Wednesday</td>
<td>Public Information / Participation (PIP) Committee Meeting</td>
<td>10:00 a.m. – Noon</td>
<td>Conference Room “B”</td>
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<td>June 27</td>
<td>4th Wednesday</td>
<td>Development Committee (DC) Meeting</td>
<td>1:30 p.m. – 5:00 p.m.</td>
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<td>June 28</td>
<td>4th Thursday</td>
<td>Municipal Operations Committee (MOC) Meeting</td>
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<td>July 3</td>
<td>1st Tuesday</td>
<td>Administrative Committee (AC) Meeting</td>
<td>9:30 a.m. – 12:00 Noon</td>
<td>Conference Room “A”</td>
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<td>July 9</td>
<td>2nd Monday</td>
<td>Monitoring Committee (MonC) Meeting</td>
<td>9:30 a.m. – 11:30 a.m.</td>
<td>Conference Room “B”</td>
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<td>July 18</td>
<td>3rd Wednesday</td>
<td>Management Committee (MC) Meeting</td>
<td>1:30 p.m. – 5:00 p.m.</td>
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<td>July 25</td>
<td>4th Wednesday</td>
<td>Public Information / Participation (PIP) Committee Meeting</td>
<td>10:00 a.m. – Noon</td>
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<td>July 25</td>
<td>4th Wednesday</td>
<td>Development Committee (DC) Meeting</td>
<td>1:30 p.m. – 5:00 p.m.</td>
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<td>July 26</td>
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<td>Municipal Operations Committee (MOC) Meeting</td>
<td>10:00 a.m. – Noon</td>
<td>Conference Room “A”</td>
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*changed due to June Primary Election*

**SCHEDULE FOR MONTHLY BASMAA SUBCOMMITTEE MEETINGS**

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<td>1st Thursday</td>
<td>Development Committee</td>
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<td>3rd Thursday</td>
<td>Trash/Municipal Operations Committee</td>
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<td>4th Wednesday</td>
<td>Public Information/Participation Committee</td>
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***Please note the time and location for the BASMAA Subcommittee meetings are subject to change.***
To: Management Committee

From: Mark Boucher, Senior Hydrologist
Contra Costa County Flood Control & Water Conservation District
BY: Tom Dalziel, Program Manager
Contra Costa Clean Water Program

Subject: Presentation Item A – Update to the Bay Area and East Contra Costa County Integrated Regional Water Management (IRWM) Plans

Recommendation:

Receive presentation on the planned updates to the Bay Area and East Contra Costa County Integrated Regional Water Management (IRWM) Plans.

Background:

The California Legislature has produced a number of bond acts to fund improved water management through integrated planning at the local level. Proposition 50 (2002), Proposition 84 (2006) and Proposition 1E (2006) require or encourage projects to be in Integrated Regional Watershed Management (IRWM) Plans to receive funding. The IRWM Plan requirement in Proposition 50 prompted local agencies to work together regionally and across functional areas (described further below) to develop IRWM Plans. Requirements in the Proposition 84 and Proposition 1E include updating the IRWM Plans within two years of receiving funding.

The bond acts require the California Department of Water Resources and other departments to give projects that are in IRWM Plans preference when establishing criteria for funding projects under various grant programs. Proposition 84 and Proposition 1E give preference to these projects.

Since voter approval of Proposition 50, 49 IRWM regions have been organized statewide. Contra Costa County falls within two IRWM regions – the San Francisco Bay Area Region and the East Contra Costa County Region.
San Francisco Bay Area Region

The San Francisco Bay Area (Bay Area) IRWM Region is coordinated via their Coordinating Committee. This is an open committee that strives to operate on a consensus basis. This group produced an IRWM Plan in 2006 and is currently updating that plan.

The following water resource functional areas (FAs) have been represented by their respective coalitions or associations:

1. Water Supply & Water Quality. The Water Supply-Water Quality (WS-WQ) functional area addresses water supply and water quality opportunities and challenges throughout the region. The efforts in the WS-WQ FA are coordinated through the Bay Area Water Agencies Coalition (BAWAC).

2. Wastewater & Recycled Water. The Wastewater-Recycled Water (WW-RW) functional area addresses treatment and discharge of wastewater and recycled water within the Bay Area. The efforts in the WW-RW FA are coordinated through the Bay Area Clean Water Agencies (BACWA).

3. Flood Protection & Stormwater Management. The Flood Protection-Stormwater Management (FP-SM) functional area addresses regional issues in management of flood- and storm waters. The efforts in the FP-SM FA are coordinated through the Bay Area Flood Protection Agencies Association (BAFPPAA).

4. Watershed Management-Habitat Protection & Restoration. The Watershed Management-Habitat Protection and Restoration (WM-HPR) functional area addresses management of hydrologic systems with emphasis on habitat protection and enhancement. The efforts in the WM-HPR FA are coordinated through the Bay Area Watershed Network (BAWN) with assistance from the Coastal Conservancy.

The purpose of coordinating through the four FAs is to: (1) identify regional needs and challenges relating to the specific FA; (2) describe water management strategies and approaches to address these needs; and, (3) develop a list of potential strategies and implementation projects that would maximize benefits and enhance opportunities for regional cooperation (regional projects) within a given functional area.

In addition to the FAs, the Bay Area IRWM Region is organized by Subregions to facilitate better outreach, coordination and project integration. The Contra Costa and Alameda County portion of the Bay Area IRWM Region are in the East Subregion.
**East Contra Costa County Region**

The East Contra Costa County (ECCC) IRWM Region is coordinated via the East County Water Management Association. They produced a functional equivalent IRWM Plan in 2006 that is dependent on existing water management plans. The ECCC Region is currently updating its plan to be a standalone IRWM Plan.

**Outreach**

Both regions are currently reaching out to their regions’ agencies, NGO’s and the public for several reasons:

- To inform as many as possible that the plans are being updated.
- To provide opportunity to comment on draft IRWM Plans and participate in upcoming workshops.
- To solicit submittals of potential projects that could be funded through the IRWM Plans.

**Fiscal Impact:**

None.

**Attachment(s):**

Attachments, if any, will be distributed at the meeting.
Date: May 16, 2012

To: Management Committee

From: Donald P. Freitas, Project Manager
By: Tom Dalziel, Program Manager
Contra Costa Clean Water Program

Subject: Presentation Item B - “2012 Community Clean Water Initiative”
Election Results

Recommendation:

To discuss the election results of the 2012 Community Clean Water Initiative, and its impacts to the participants of the Contra Costa Clean Water Program. The factual details were sent to Program participants on Monday, May 7, 2012. The initiative lost by a margin of 60 to 40%.

Background:

The adoption of the Municipal Regional Permit (MRP) by the San Francisco Bay and Central Valley Regional Water Quality Control Boards in 2009 and 2010 respectively, immediately necessitated the Program working with all of its participants to determine the feasibility of generating additional financial resources to implement the mandated MRP requirements. Funds were reserved totaling $1.55 million to hire consultants to assist the Program in determining the best mechanism available to generate monies; and, to determine the feasibility of having the selected option receive community support. SCI Consulting Group, Inc. was hired in August 2010. A multi-phased approach was stipulated with the final recommendation being a Proposition 218 election to create a dedicated source of revenue through the establishment of a fee. The funds generated from the fee would be returned in their entirely to each co-permittee for MRP compliance activities.

Instead of detailing each step used in this process, a fee election was held with only property owners casting their votes. On Monday, May 7th the results were released indicating the measure failed 60 to 40%. At the April 2012 Management Committee meeting, Program staff was directed to place an item on the May
agenda with SCI consultants present to discuss the outcome of the election. This will be done, and a final report will be prepared for distribution in the future.

The loss of the measure means approximately $7.8 million will not be generated for implementation of the MRP next fiscal year. Local jurisdictions will now need to figure out another alternative to finance the mandated MRP requirements or possibly face fines from the Regional Boards.

**Fiscal Impact:**

The financial impacts of the failed measure are discussed above.

**Attachment(s):**

None.
Date: May 16, 2012

To: Management Committee

From: Elisa Wilfong, Watershed Management Planning Specialist
Contra Costa Clean Water Program

Subject: Presentation Item C – San Francisco Bay Regional Water Quality Control Board Review of Municipal Annual Reports and Programs

Recommendation:

Receive presentation on the status of the Fiscal Year 2011/12 Annual Report form, and the San Francisco Bay Regional Water Quality Control Board (Water Board) staff’s review of the Fiscal Year 2010/11 Annual Reports, and municipal stormwater programs.

Background:

Program staff is not able to provide the Fiscal Year 2011/12 Annual Report form and guidance at the May 2012 Management Committee meeting due to delays by the Water Board staff in review of last year’s annual reports and this year’s proposed Annual Report form submitted by BASMAA on April 1. Instead, Program staff will provide a status update on the annual report form and a proposed schedule for a meeting with the Management Committee for review and preparation of the FY 2011/2012 annual report.

Program staff will also provide an overview of review comments received to date from Water Board staff on the FY 2010/2011 Annual Report, and of planned municipal stormwater program audits.

Fiscal Impact:

None.

Attachment(s):

None.
CONTRA COSTA CLEAN WATER PROGRAM
Municipal Operations Committee (MOC)
March 22, 2012 Minutes

Attendance:

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<td>Phil Hoffmeister</td>
<td>Andrew Kennedy</td>
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<td>City of Brentwood</td>
<td>Jeff Cowling</td>
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<td>County Watershed Program</td>
<td>Charmaine Bernard</td>
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<td>Town of Danville</td>
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<td>City of Pittsburg</td>
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<td>City of Richmond</td>
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<td>Cathy Terentieff</td>
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<td>Patrick Bowie</td>
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<td>City of San Ramon</td>
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<td>Steve Spedowfski</td>
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<td>City of Walnut Creek</td>
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<td>Rich Payne</td>
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| GUESTS                      |                   |                         |

| PROGRAM STAFF               | Elisa Wilfong     |                         |

I. Introductions/Announcements – Jolan Longway began the meeting at 10:04 a.m. and self-introductions followed. Charmaine Bernard announced that the County Watershed Program began their hot spot trash cleanups. Phil Hoffmeister announced the City of Antioch is installing 8 trash capture devices made by West Coast Storm.
II. **Approve the January 26, 2012 Minutes** - The January minutes were introduced and hearing no discussion Bernard made the motion to accept the minutes as written. The second was made by Phil Hoffmeister. Motion passed by unanimous vote.

III. **Presentation – C.I. Agent Storm Water Solutions** – Elisa Wilfong introduced Lea Ann Chapman with C.I. Agent Storm Water Solutions who requested to demonstrate the services and products that her firm provides. Primarily, C.I. Agent Storm Water Solutions provides a food grade polymer with the ability to bind to petroleum products. The polymer is dispensed into waterways with oil spills to remove the oil from the water. The polymer is a product used by public and private groups for small and large spill response. Chapman claims it is cheaper that vacuuming and treating the water off and on site and the disposal is cheaper because of the polymer being non-toxic. The presentation was well received by the MOC attendees.

IV. **Update on BASMAA SubCommittees**:

   a. **Municipal Operations SubCommittee** – Wilfong reported an update was provided for the enhancement of BASMAA’s Surface Cleaner Training and Recognition Program, BASMAA is securing a contract with the videographer to update the training video. Wilfong gave an overview of the general discussion forum between the SubCommittee members regarding C.2 pump station monitoring, C.4 and C.5 inspections, C.9 regional PCO IPM outreach, and C.15 fire sprinkler test companies. An action item was delegated to a few SubCommittee members including Wilfong to create and produce a brochure educating property owners on directing their sprinkler test dischargers to sanitary or vegetation. Another action item from the MOC’s discussion of these topics was to produce and deliver a mailer to registered PCOs about the PAPA training that now has an IPM unit. Wilfong will conduct a mailer as it helps to satisfy our PCO outreach provision in C.9 of the MRP.

   b. **Trash SubCommittee** – Wilfong provided an update on BASMAA’s trash projects. BASMAA is pursuing two grants (Proposition 84 stormwater grant for tracking trash and San Francisco Bay Water Quality Improvement Funds for a concept proposal for outreach for trash). Both grants will be awarded at the end of April and another update will be given when the awardee selection has been made.

   Dale Bowyer from Water Board staff was present to provide preliminary comments for the Short-Term Trash Plans. The comments were verbal only focusing on the validity of baseline load estimates (not enough ground truth data was provided to justify the numbers), the percentage of credit given to the trash reduction activities (they are too high overall), and the majority of credits are projected to be given on activities the Water Board says should already be implemented and should be part of the baseline load calculation. Water Board staff will provide written comments to BASMAA but an exact time was not given (projected to be by the end of April). Wilfong has been placed on a subcommittee within the trash subcommittee to respond to these comments and revise BASMAA’s Methodologies and trash baselines.
A draft of the C.10 trash section of the FY 11/12 annual report was passed to the committee members. Guidance was provided to use BASMAA’s trash calculator for all percentage reduction reporting instead of using real calculations based on scenarios calculated using actual drainage of trash devices and other such reductions for the formula based reduction credits. This guidance is important because BASMAA will not have time to run scenarios for this annual report season.

V. C.10 Trash Provision Agenda –

a. Update on BASMAA’s Baseline Trash Reduction Project – BASMAA will conduct a fourth and final trash collection monitoring event mid-April. Wilfong has alerted the participating cities when they need to clean out their trash capture devices and Wilfong will be picking up the trash bags on April 12, 2012. As usual she will coordinate with the cities to pick up the bags on the 12th.

b. Review Restaurant Poster Draft – Elisa presented a draft poster for committee review and for input on how to proceed. The committee discussed the use of photos vs. illustrations with most feeling actual photos would be best. Elisa asked that members send any appropriate photos they may already have, along with any suggested mark ups to her by February 9th. She will provide a revised draft at next month’s meeting.

VI. C.4 Industrial and Commercial Site Controls and C.5 Illicit Discharge Detection and Elimination Agenda –

a. Inspector Training Spring Workshop Planning – Wilfong announced she is working with a Pick and Pull facility in Richmond for the afternoon field trip as well as firming up the speakers for the workshop. The workshop has been moved to late April but the date has not been confirmed as of yet. Wilfong will provide more details via email soon.

b. Review Restaurant Poster Second Draft – Wilfong did not have a second draft of the poster to present to MOC because the draft is not complete, however, photos are being taken in the field and will be added to the poster. The narrative for the poster is complete and Wilfong will provide a draft to the MOC next month for review.

VII. Old/New Business:

Wilfong announced that the Management Committee approved the Program’s budget yesterday and the $50,000 in the MOC budget that was recommended for FY 12/13 BASMAA trash activities was approved as part of the budget.

Wilfong asked the group if they were familiar with AB 1704, the removal of coal tar pavement, but the group did not know if they used this product. Members said they would find out and tell Wilfong so, if this bill passes and impacts the cities she can report on its activity for their information.

VIII. Adjournment – The meeting was adjourned at 12:00pm.
Next MOC Meeting: April 26, 2012, 10:00 – 12:00noon
Conference Room “A”
Contra Costa County Public Works Department
255 Glacier Drive, Martinez

EW/fv
G:\NPDES\MOC\Minutes & Attendance\11 12\MOC Min March 2012.doc
I. Introductory Remarks and Announcements: The meeting was called to order by Phil Hoffmeister at 9:40 a.m. which was followed by self-introductions and a brief discussion of issues surrounding the Clean Water Initiative. Jamison Crosby explained Mon Com minutes will be brief from here forward due to time constraints.

II. Approve March 12, 2012 Minutes: The motion to approve the minutes was made by Steve Spedowfski and seconded by Karineh Samkian. The motion passed unanimously.

III. Delta Methylmercury TMDL: The first deadline is April 20, 2012 for permittees to submit a letter to the Waterboard indicating how they will develop Control Studies and whether they will collaborate in the design and implementation of the studies. Jamison Crosby presented a draft of the letter to the committee and discussion ensued. The motion to recommend the draft letter is presented to Management Committee for their approval was made by Samkian and seconded by Dan Jordan. The motion passed unanimously.
IV. Program-Directed Monitoring: The Marsh Creek long term monitoring station has been sampled during 2 storm events so far this season. Crosby will be participating in the Small Tributaries Loading Strategy (STLS) meetings to select the 2 new POC/Long Term sites to be established region-wide next year.

V. Regional Monitoring Coalition

1. Task 5 – Stormwater Treatment Retrofits – City of Richmond selected the team from Wreco to proceed with full design of the retrofit outside the PG&E facility. A kick off design meeting will be set up as soon as possible.

2. Pump Station Diversion at N. Richmond – A meeting will be set up in the very near future between representatives at West County Wastewater District, the County and the Program to determine their level of interest in participating in a diversion project.

3. Creek status monitoring – regional probabilistic design – Four sites were investigated and selected to install temperature probes as required in Table 8.1 of the MRP. These sites are: Walnut Creek near Civic Park East, Alhambra Creek at D Street, Wildcat at Vale and Marsh at the fish ladder (co-located with Long Term/POC sample location). Hobo temperature probes will be installed in April.

   Stressor/Source ID projects – These must be initiated after samples that indicate a stressor has been introduced to the system. BASMAA is discussing how we should collectively approach this provision.

VI. C.11.a – Mercury Collection and Recycling – Crosby distributed the section of the Annual Report pertaining to C.11.a for committee review. Cities are to describe any efforts on their part towards the promotion, facilitation, and collection of mercury containing devices. For the estimate of mass of mercury collected, EOA is developing a spreadsheet in which to track these amounts. Program staff will populate the spreadsheet based on totals received from HHW facilities. If cities do collection on their own, they would also use the spreadsheet to calculate mass removed. If not, they would simply refer to the Program Annual Report as described in the Annual Report Guidance.

VIII. Summary of Action and Agenda Items for next meeting:
- Schedule meeting with West Co. Wastewater
Next Monitoring Committee Meeting:
May 14, 2012
9:30 to 11:30 a.m.
Conference Room “B”
255 Glacier Drive
Martinez, CA 94553
CONTRA COSTA CLEAN WATER PROGRAM
Management Committee Meeting
April 18, 2012 Minutes

Attendance:

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<td>Daniel Sequeira</td>
<td>Frank Kennedy</td>
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<td>Town of Danville (Vice-chairperson)</td>
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<td>City of Pleasant Hill</td>
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<td>City of Richmond</td>
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<td>City of San Pablo</td>
<td>Karineh Samkian</td>
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<td>Contra Costa County Flood Control</td>
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<td>&amp; Water Conservation District</td>
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<td>Contra Costa Clean Water Staff</td>
<td>Tom Dalziel</td>
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<td>Elisa Wilfong</td>
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<td>Don Freitas</td>
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I. **Introductions:** Chair Spedowskki opened the meeting at 1:38 p.m. Following self-introductions, he immediately proceeded to the agenda.
II. **Regional Board Staff Comments/Reports:** Regional Board representatives were not in attendance.

III. **Presentations:**
Chair Spedowfski requested that Presentation Item B be moved to the end of the meeting. The Committee concurred.

A. 2012 Community Clean Water Initiative Update

Don Freitas noted that over 100,000 ballots were received, which is a high return rate. Ballot counting started on Saturday, April 7. Approximately 30,000 have been counted so far, with 50,000 expected to be completed by the end of the week. The Certified Public Accounting firm tabulating the ballots, Carol Keane & Associates (CKA), will need the entire period (through approximately April 26) to count, verify, and certify the election results. There were about ten inquiries to observe the vote count. In addition to counting “Yes” and “No” votes, CKA has to resolve issues such as duplicate ballots due to vote changes, ballots improperly completed, or ballots in which the intent of the voter was not clear.

Once the tabulation is completed and certified, CKA will inform the Program, which is prepared to immediately release the results to local elected officials, municipal managers and staff, stormwater coordinators, and the general public. The election results will be formally accepted by the Contra Costa County Board of Supervisors on June 5.

A lengthy discussion ensued regarding potential next steps should the measure fail or pass, questions and comments received by Program staff on the initiative, and the outreach and information efforts.

It was noted that Los Angeles County is planning to conduct a countywide, property-related fee ballot initiative to fund their stormwater compliance mandates.

Tom complimented Donald Freitas and Program staff on their significant efforts over the past several months on the initiative.

The Committee requested that SCI Consulting Group attend the next Management Committee meeting to review and discuss the results of the election.

B. Tour of the City of Walnut Creek’s Creek Walk and Interpretative Panels – This item was moved to the end of the meeting.

IV. **Consent Calendar:**
A. March 12, 2012 Monitoring Committee Minutes
B. March 21, 2012 Management Committee Minutes

Moved/Seconded (Laura Hoffmeister/Frank Kennedy) to approve the Consent Calendar. Item passed unanimously.

V. **Actions:**

A. Approve Submittal of Letter to the Central Valley Regional Water Quality Control Board Affirming the Contra Costa Clean Water Program Permittees’ Intent to Collaborate in Development and Implementation of Mercury Studies; and Direct the Program Manager to Sign and Certify the Submittal on Behalf of Each Permittee’s Duly Authorized Representative

Jamison Crosby noted that she first reported on this item in November 2011. The letter confirms the Program’s intent to collaborate in development of mercury studies consistent with the Delta Methylmercury Total Maximum Daily Load. This includes the five municipalities covered under the East Contra Costa County NPDES Permit and the remaining Contra Costa Permittees covered under the MRP. Doing so provides the Program another year for planning. The due date would be extended to April 2013. Questions were asked and answered.

Moved/Seconded (Laura Hoffmeister/Lynne Scarpa) to approve the item. A roll call vote was made for the five representatives covered under the East Contra Costa NPDES Permit. The entire Management Committee unanimously approved the item.

VI. **Staff Reports:**

A. Process for Selection of Management Committee Chair and Vice-Chair, and Subcommittee Membership for FY 2012/13

Tom reviewed the selection process for Chair and Vice-Chair. He also explained the process for selecting Subcommittee representatives, and distributed the “Voting Membership on Subcommittees for FY 2012/13” form. The completed form is due back to Fan Ventura by May 2.

If an agency is planning to change representatives on the Management Committee, then a new authorization letter will need to be submitted by the City/Town Manager. Staff will update all rosters for a July 1 effective date.

VII. **Information Items:**

The Committee had no questions on Information Items A or B.
Tom distributed information from Hedgerow Farms. He mentioned that staff occasionally collects and distributes information to the Management Committee that might be helpful for various purposes, such as habitat restoration and re-vegetation in this case.

Chris McCann asked if some plants can be planted in bio-retention facilities. Staff has a recommended plant list, and a landscape architect should be consulted on appropriateness and placement. Jamison also explained that when writing specifications for installation or use, agencies can specify local seeds. Several Committee members acknowledged that they are graduates of the Bay Friendly landscape training.

VIII. **Old/New Business**

Program staff has completed its move to Building 500 (next door). When visiting staff, please continue to check in at the Reception Desk. Tom handed out two Save the Date flyers on upcoming workshops (May 2 – How to Ensure Compliance with NPDES Construction Inspection Requirements; and May 17 – How to Prepare Stormwater Control Plans for Development Projects). Committee members will be notified when finalized, and on-line registration be conducted.

Tracy Hein just received the promotional items orders. She will allocate them to the various agencies. Please let her know if you need items immediately.

Karineh Samkian announced the City of San Pablo is hiring a part-time environmental person.

Elisa Wilfong announced she has not received formal comments from the Regional Board on the Short Term Trash Reduction Plans. Laura Hoffmeister mentioned the City of Clayton did receive a comment letter.

Frank Kennedy will no longer be representing the City of Concord. These duties have been transferred to Dan Sequeira.

IX. **Adjournment:**

Chair Spedowfksi adjourned the meeting at 2:48 p.m. to tour the Creek Walk and Interpretative Panels.
Attendance:

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<tr>
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<td>Phil Hoffmeister</td>
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<td>Laura Hoffmeister</td>
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<td>Flood Control District</td>
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<td>City of Hercules</td>
<td>Jose Pacheco</td>
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<td>City of Martinez</td>
<td>Tim Tucker</td>
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<td>City of San Ramon <strong>(Chair)</strong></td>
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**Non-Voting Members**

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**Program Staff**

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<td>Tom Dalziel</td>
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<td>Fan Ventura</td>
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I. **Introductory Remarks:** Chair Spedowfski began the meeting at approximately 9:35 a.m.

II. **2012 Community Clean Water Initiative – Ballot Tabulation Update:** Tom Dalziel explained that the Certified Public Accounting (CPA) firm hired to count the votes has issued a vote observation schedule through Friday, May 4. Final tabulation is expected around Monday, May 7. If results are known by May 7, a staff report and resolution accepting the election results could be considered by the Board of Supervisors (BOS) as soon as May 22. If not May 22, then on June 5. The BOS does not meet on May 29.

Dalziel briefly discussed next steps if the measure is successful, which includes developed of new agreements outlining the process for distribution of the revenues to municipalities, establishment of a 7 member citizen oversight committee, a procedure for conducting annual audits, etc...

Dalziel indicated SCI Consulting Group would be present at the May 16 Management Committee meeting to review and discuss the election results.
III. **Municipal Annual Reports and Programs:** Tom explained Water Board staff is still reviewing the FY 2010/11 Annual Report. The most recent comment letter reviewing section C.9 was received April 23. This review will result in a number of Notice of Deficiency (NOD) and Notice of Violation (NOV) letters being sent to specific municipalities Bay Area-wide. Several committee members noted errors in Water Board staff’s review comments and findings of deficiency.

Committee members also expressed frustration of the extremely delayed review of the Annual Reports (i.e., 8 months), and that review comments are received sporadically over an extended span of time. It was also noted that some review comments, including several comments contained in the C.9 letter, were inconsistent with the provisions in the MRP. Dalziel indicated BASMAA was preparing a letter to submit to the Water Board identifying these inconsistencies in the C.9 letter.

Dalziel indicated that the BASMAA Board requested Tom Mumley, Assistant Executive Officer, delay sending the NOD and NOV letters so that municipalities could resolve these errors with his staff. Mr. Mumley indicated municipalities had approximately a week to contact his staff to resolve any errors. Mr. Mumley also committed to reviewing and providing any comments on future municipal annual reports by the end of the calendar year.

Dalziel also reported Contra Costa County was going to be audited the week of May 7th. The audit was expected to take three days and cover Provisions C.3., C.4 and C.6.

Dalziel then provided a brief update on the Fiscal Year 2011/12 Annual Report form submitted to the Water Board on April 1. Dalziel briefly noted a few of the minor changes contained in BASMAA’s submittal. He explained that additional changes would be needed in response to Water Board staff’s April 23 C.9 review comments. This would likely delay Program staff from distributing this year’s annual report form. This was planned for the May 16 meeting, but will now likely be delayed to June. Questions were asked and answered.

IV. **Program Structure, Organization, and Staffing:** Tom discussed the challenges in filling vacant positions. Upon Kristen Hardeman’s departure, it took 15 months to fill the Program’s clerical position. Similar delays are expected for the Administrative Analyst position vacated by Michelle McCauley in September 2011. Dalziel indicated the County agreed to extend Tracy Hein’s contract until a permanent Administrative Analyst could be hired. Tracy was contracted for six months in December 2011 as a temporary County employee. There was no guarantee that the County will grant an extension to her six month contract.
The Senior Watershed Management Planning Specialist position has been vacant since Dalziel was selected Program Manager in May 2011. Dalziel indicated his intent to propose this position be filled. He acknowledged that all agencies, not just the Program, are dealing with staffing/resource shortages. A discussion ensued regarding the need for this position.

Dalziel explained it has become increasingly difficult for the Program Manager to manage the administrative aspects of the Program (e.g., budgets, contracts, supervision, etc...); oversee the plethora of mandated permit programs being implemented by the Program and regionally; and, to develop strategies and seek opportunities for meeting future challenges. Prior to Donald Freitas’ retirement in March 2010, this work was conducted by the Program Manager with the assistance of the Senior Watershed Management Planning Specialist. The assistance of the senior was critical to allow the Program Manager the ability to anticipate, plan, and prioritize next steps; and, to respond to a variety of events and needs (e.g., municipal audits and response to Water Board staff requests and inquiries; advocacy for municipal stormwater agency positions and interests; and, liaison to business groups, public managers association, state and federal regulators, etc...). Tom asked committee members for input.

After extended discussion, the committee agreed to recommend moving forward with a recommendation to fill the position and to place this action on the May 16 Management Committee action calendar.

V. Approve the Draft May 16, 2012 Management Committee Agenda: Tom reviewed the proposed agenda with changes discussed above, and asked if there were any suggested edits or additions.

Cece Sellgren asked to add a five-minute presentation by Mark Boucher with the Contra Costa County Flood Control and Water Conservation District on the planned updates to the Integrated Regional Watershed Management Plans. She also requested an item be added regarding the County’s audit of the Water Board. Dalziel suggested this could be discussed under Presentation Item C – “Review of Municipal Annual Reports and Programs”. The committee concurred.

A discussion occurred regarding consideration of the “Model Local Bag Ordinance”. Committee members requested the proposed action be re-written to clarify this ordinance would be approved as an “example” for those planning to adopt such an ordinance as part of the “Short Term Trash Reduction Plan”. Tom will send revised language to the Subcommittee for approval later in the day.

Tom indicated a proposed action approving a contract with Brown and Caldwell for HMP model calibration and validation monitoring was being deleted. The Program is going to wait until July to see whether the Program’s Proposition 84 Stormwater
Grant proposal is accepted.

VI. **Old/New Business:** Tom reminded everyone to submit their agency’s FY 2012/13 subcommittee assignments to Fan Ventura by May 2. He also mentioned that a future Management Committee meeting may be held in El Cerrito and include a field visit to view their green street project.

VII. **Adjournment** – The meeting was adjourned at 10:53 a.m.

**Next Administrative Committee Meeting:**
June 5, 2012
9:30 a.m. to Noon
255 Glacier Drive, Martinez, CA, Conference Room “A”

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G:\NPDES\Admin Committee\Minutes&Attend\11 12\AC Minutes - 2012-05 (draft).doc
Date: May 16, 2012

To: Management Committee

From: Tom Dalziel, Program Manager
Contra Costa Clean Water Program

Subject: Action Item A – APPROVE the Administrative Committee’s Recommendation to Fill the Senior Watershed Management Planning Specialist Position, and to Request the County to Immediately Conduct an Examination for the Position.

Recommendations:

Approve the Administrative Committee’s recommendation to fill the existing Senior Watershed Management Planning Specialist position, and to request the County Human Resources Department to immediately conduct an examination for the position.

Background:

With the retirement of Donald Freitas on March 30, 2010, the Management Committee directed the County to appoint the Program’s Senior Watershed Management Planning Specialist, Tom Dalziel, to Interim Program Manager. The Management Committee then requested the newly appointed Interim Program Manager to review and make a recommendation regarding future staffing needs.

At the time of Donald Freitas’ retirement and over the following 14 months, the Program was involved in a flood of activities and impacted by a number of circumstances including, but not limited to:

- The retirement of Donald Freitas required the newly appointed Interim Program Manager to fulfill the duties of the Program Manager and the Senior Watershed Management Planning Specialist positions (April 2010 – May 2011)
- Adoption of the revised Model Stormwater Ordinance (January - June 2010)
Negotiation and adoption of the reissued East Contra Costa County Municipal NPDES Permit (April - September 2010)

Resignation of Kristen Hardeman for full-time position in another County department, leaving vacant the Program’s Clerical Senior-Level position (September – October 2010)

Hiring temporary agency Clerical, Valerie Wiley (October 2010 – December 2011, request to County for renewal every 3 months)

New format for and adoption of the Group Program Budget (January - March 2011)

Maternity leave - Watershed Management Planning Specialist, Elisa Wilfong (June – December 2010)

Year-one implementation of the recently adopted Municipal Regional Permit mandates

Initiated development and launched the Program’s Groupsite (February- June 2011)

Resignation of Michelle McCauley for promotion to another County department, leaving vacant the Program’s Administrative Analyst position (September – November 2011)

Hiring temporary County employee Tracy Hein, Administrative Analyst (November 2011 - Present)

Planned and conducted a stormwater funding alternatives project (i.e., “2012 Community Clean Water Initiative) (January 2010 – May 2012)

In May 2011, following the conclusion of an open recruitment process to permanently fill the Program Manager position, the Management Committee approved the selection of Tom Dalziel to fill the position. This action left vacant the Program’s existing Senior Watershed Management Planning Specialist position.

Program Manager’s Review of Program Staffing

At the time of Donald Freitas’ retirement in March 2010, Program staff consisted of the following five (5) full-time and one (1) part-time (28/40) permanent employees:

1. Donald P. Freitas, Program Manager (1991)
2. Tom Dalziel, Senior Watershed Management Planning Specialist (1994)

Current staffing consists of three (3) full-time and one (1) part-time (32/40) permanent employees, and one (1) full-time temporary employee. The staffing
levels in March 2010 and the staffing levels in place now, including the approximate years of experience with the Program, are compared below:

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<tr>
<th>Month</th>
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<th>Years</th>
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<td>Freitas/Manager/Permanent</td>
<td>19</td>
<td>Dalziel/Manager/Permanent</td>
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<td></td>
<td>Dalziel/Senior/Permanent</td>
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<td>Crosby/Specialist/Permanent</td>
<td>7</td>
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<td></td>
<td>McCauley/Analyst/Permanent</td>
<td>8</td>
<td>Tracy Hein/Analyst/Temporary</td>
<td>1</td>
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<td>Hardeman/Clerical/(28/32)</td>
<td>10</td>
<td>Fan Ventura/Clerical/(32/40)</td>
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<td>Total Years</td>
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<td>64</td>
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The level of staffing in place in March 2010 was established in January 2003, when the Management Committee approved the creation of a second Watershed Management Planning Specialist position. The ever-increasing permit mandated activities contained in the 1998-2003 and 1999-2004 stormwater permits issued by the San Francisco Bay and Central Valley Regional Water Quality Control Boards, respectively, and the administrative work necessary to support the Group Program warranted this level of staffing, which also included significant technical support services.

Since that time, Group Program tasks have increased. As was anticipated with the adoption of the Municipal Regional Permit in October 2009, and the East County Permit in September 2010, we have seen a dramatic increase in opportunities for coordinating and conducting stormwater compliance activities on a regional scale through the various Bay Area Stormwater Management Agencies Association (BASMAA) committees and associated regional workgroups. While regional coordination had been occurring from the inception of the Program, regional collaboration on a variety of projects with detailed scopes of work and significant budgets increased dramatically. Prior to the MRP, regional projects were limited to less than a few each year (e.g., mobile surface cleaner program, regional advertising campaign, Clean Estuary Partnership, etc…) with total yearly expenditures generally less than $250,000. Now, there are literally dozens of projects with budgets totaling on average over $1,000,000 per year.

This coordination on regional projects has undoubtedly helped to mitigate the rising costs of the stricter permit standards. However, this regional coordination has resulted in an even greater burden on Program staff’s time. Program staff and consultants are now more involved in many more regional meetings planning, overseeing and conducting a variety of regional activities. These activities must then be reported to and vetted by the various Program committees, and approved by the Management Committee. The Program’s organizational committee structure was modified in November 2009, and
incorporated into the revised Program Agreement (2010-2025) in June 2010, to help facilitate coordination and implementation of regional projects. With the increased participation by municipal stormwater coordinators, this structure has been effective.

Combined with the significant increase in regional projects and activities, Program activities are ramping up, particularly with respect to water quality monitoring such as:

- Implementation of status monitoring in rotating watersheds and various monitoring projects including stressor source identification and best management practice effectiveness investigations
- Implementation of the long term monitoring station(s), and pollutants of concern studies and pilot projects (e.g., urban retrofits and diversions)
- Planning and studies related to Total Maximum Daily Load (TMDL) development (i.e., Delta methyl mercury), and monitoring for emerging pollutants of concern (e.g., nutrients, PBDEs, etc...)

Provision C.3 amendments and the ever-changing priorities imposed by federal and state regulators on how runoff should be managed has continued to require a significant investment of Program resources. Planning for and negotiating reissuance of the Municipal Regional Permit and the East Contra Costa County Municipal NPDES Permit will also require a significant amount of Program staff's time over the next several years.

It has become increasingly difficult for the Program Manager to manage the administrative aspects of the Program (e.g., budgets, contracts, supervision, etc...); oversee the plethora of mandated permit programs being implemented by the Program and regionally; and, to develop strategies and seek opportunities for meeting future challenges. Prior to Donald Freitas' retirement in March 2010, this work was conducted by the Program Manager with the assistance of the Senior Watershed Management Planning Specialist. The assistance of the senior was critical to allow the Program Manager the ability to anticipate, plan, and prioritize next steps; and, to respond to a variety of events and needs (e.g., municipal audits and response to Water Board staff requests and inquiries; advocacy for municipal stormwater agency positions and interests; and, liaison to business groups, public managers association, state and federal regulators, etc...).

For the past two years, Program staff have been deferring vacations and often working after hours and on weekends to manage the ever-increasing workload. Permit compliance is Program staff’s number one priority. Program staffing levels and experience are at a critical low. This combined with the increased permit mandates, many of which are being met at the Program level and/or
regional-level, warrants the Senior Watershed Management Planning Specialist position be filled. The senior position will provide much needed support to the Program Manager, assist with supervision of staff and support to the Program, and provide necessary succession training.

Tremendous challenges and opportunities lie ahead for the Program. Significant strides are being made in addressing pesticide toxicity through the reform of USEPA and the California Department of Pesticide Regulation’s review and registration procedures for pesticides. Implementation of existing and development of new Total Maximum Daily Loads (TMDLs) are going to be requiring more stringent permit mandates for the foreseeable future. State regulators will continue to require a phased approach to water quality retrofit improvements to existing storm drainage conveyance infrastructure (e.g., trash, sediment, rainwater harvesting, etc...). Municipalities will continue to be challenged with meeting the mandates to: (1) identify and abate illegal dumping and illicit discharges; (2) conduct increased inspections, with appropriate follow-up and enforcement, of construction sites, businesses, and C.3 stormwater management facilities; and, (3) implement, track and report on expanded operation and maintenance programs on municipal drainage infrastructure and other municipal facilities, etc.... Furthermore, as we have learned through the stormwater funding initiative, much more needs to be done to inform and educate businesses and residents of their role in protecting our local waterways, and the critical need for increased investment in clean water.

The Contra Costa Clean Water Program’s structure and organization is exemplary, and, for good reason, is seen by other stormwater quality professionals as a model throughout the state. Our Program is admired both for its organizational structure, which employs permanent Program staff working at the direction of municipal stormwater coordinators and representatives, and for its innovative and practical contributions to the stormwater profession (e.g., commercial/industrial inspections using POTW pre-treatment inspectors, stormwater quality and quantity management using rain gardens, stream-health evaluations looking at aquatic insect biodiversity, etc...). Furthermore, our effort to increase funding to comply with the ever-increasing federal and state permit mandates with a property-related fee on a countywide basis, though unsuccessful, was unprecedented and watched closely by public agencies throughout the state. Los Angeles County is now pursuing the same countywide approach.

**Administrative Committee’s Recommendation**

At the May 2, 2012 Administrative Committee meeting, the Program Manager indicated, for many of the reasons discussed above, his intent to recommend the Senior Watershed Management Planning Specialist position be filled after
remaining vacant since May 2011. He requested their input. After discussion, there was consensus among the Administrative Committee to move forward in requesting the County to immediately fill the position, which could take 6-9 months. They directed the Program Manager to not delay, and to put this item on the May 16, 2012 Management Committee action calendar.

**Fiscal Impact:**

Funding for the Senior Watershed Management Planning Specialist position is provided in the adopted Fiscal Year 2012/13 Group Program budget. Should the Management Committee approve the Administrative Committee’s recommendation, it would likely take the County a minimum of 6 months to conduct the examination and promulgate a hiring list from which the Program can then conduct interviews. This will leave a significant portion of the funding for this position unspent at the conclusion of Fiscal Year 2012/13.

**Attachment(s):**

None.
Date: May 16, 2012

To: Management Committee

From: Julie Haas-Wajdowicz, PIP Committee Chair
By: Tracy Hein, Program Staff
Contra Costa Clean Water Program

Subject: Action Item B - APPROVE the Public Information and Participation (PIP) Committee’s Example “Local Bag Ordinance” to Promote Consistency among Municipalities Pursuing Single Use Bag Bans as a Measure to Meet the Trash Load Reduction Mandates Outlined in Provision C.10

Recommendation:

Approve the Public Information and Participation (PIP) Committee’s example “Local Bag Ordinance” to promote consistency among municipalities pursuing single use bag bans as a measure to meet the trash load reduction mandates outlined in Provision C.10 of the Municipal NPDES Permits.

Background:

At the direction of the Management Committee, the PIP Committee developed a “Local Bag Ordinance”. Adoption of this ordinance by municipalities would further compliance with the trash load reduction mandates contained in Provision C.10 of the Municipal NPDES Permits, and promote consistency among those adopting a bag ban ordinance.

The PIP Committee has taken the lead on development of the ordinance, offering opportunities for permittees to give input on the ordinance language. The PIP Committee is recommending Management Committee approval of the attached example “Local Bag Ordinance”.

Fiscal Impact:

None.

Attachments:
1. Model Local Bag Ordinance

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Model Local Bag Ordinance

ORDINANCE NO. ____

An ordinance of the City/County Code, relating to regulating the use of plastic carryout bags and recyclable paper carryout bags and promoting the use of reusable bags within the City/County.

The City Council/Board of Supervisors ordains as follows: __________ hereby added to read as follows:

Definitions.
The following definitions apply to this ordinance:

1. “Carryout Bag” means a bag other than a Reusable Bag provided at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the establishment. Carryout Bags do not include bags without handles provided to the Customer to transport produce, bulk food or meat from a produce, bulk food or meat department with in a store to the point of sale.

2. "Customer" means any person purchasing goods from a Retail Establishment.

3. “Nonprofit Charitable Reuser” means a charitable organization, as defined in Section 501(c)(3) of the Internal Revenue Code of 1986, or a distinct operating unit or division of the charitable organization, that reuses and recycles donated goods or materials and receives more than fifty percent (50%) of its revenues from the handling and sale of those donated goods or materials.

4. "Operator" means the person in control of, or having the responsibility for, the operation of a Retail Establishment, which may include, but is not limited to, the owner of the Retail Establishment.

5. "Person" means any natural person, firm, corporation, partnership, or other organization or group however organized.

6. "Plastic Bag" means any bag made predominantly of plastic derived from either petroleum or a biologically-based source, such as corn or other plant sources, which is provided to a Customer at the point of sale. Plastic bags includes: compostable and biodegradable bags but does not include Reusable Bags, Produce Bags, or Product Bags.

7. “Public Eating Establishment” means a restaurant, take-out food establishment, or any other business that receives 90% or more of its revenue from the sale of Prepared Food to be eaten on or off its premises.

8. "Postconsumer Recycled Material" means a material that would otherwise be destined for solid waste disposal, having completed its intended end use and product life cycle. "Postconsumer Recycled Material" does not include materials and by-products...
9. “Prepared Food” means foods or beverages which are prepared on premises by cooking, chopping, slicing, mixing, freezing, or squeezing, and which require no further preparation to be consumed. Prepared Food does not include any raw, uncooked meat product or fruits or vegetables which are chopped, squeezed or mixed.

10. "Produce Bag" or "Product bag" means any bag without handles used exclusively to carry produce, meats, or other food items to the point of sale inside a Retail Establishment or to prevent such food items from coming into direct contact with other purchased items.

11. "Recyclable" means material that can be sorted, cleansed, and reconstituted using available recycling collection programs for the purpose of using the altered form in the manufacture of a new product. "Recycling" does not include burning, incinerating, converting, or otherwise thermally destroying solid waste.

12. "Recycled Paper Bag" means a paper bag that meets all of the following requirements: (1) contains no old growth fiber; (2) is one hundred percent (100%) recyclable overall and contains a minimum of forty percent (40%) Postconsumer Recycled Material; (3) is accepted for recycling in curbside programs in the City of /County of (Insert Name); (4) displays the word "Recyclable" in a highly visible manner on the outside of the bag; and (5) and displays the percentage of Postconsumer Recycled Material used.

13. "Reusable Bag" means a bag with handles that is specifically designed and manufactured for multiple reuse and meets all of the following requirements: (1) has a minimum lifetime of 125 uses, which for purposes of this subsection, means the capability of carrying a minimum of 22 pounds 125 times over a distance of at least 175 feet; (3) is machine washable or capable of being cleaned and disinfected; (4) does not contain lead, cadmium, or any other heavy metal in toxic amounts as defined by applicable State and Federal standards and regulations for packaging or reusable bags (6) if made of plastic, is a minimum of at least 2.25 mils thick.

14. “Retail Establishment” means any commercial establishment that sells perishable and nonperishable goods including, but not limited to, clothing, food and personal items directly to the Customer; and is located within or doing business within the geographical city/county limits of the City/County of _____________ (insert name). Retail Establishments does not include Public Eating Establishments or Nonprofit Charitable organizations.

15. “Single-Use Carryout Bag” means a bag other than a Reusable Bag provided at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the establishment. Single-Use Carryout Bags do not include bags without handles provided to the Customer to transport produce, bulk food or meat from a produce, bulk food or meat department with in a store to the point of sale.

**Plastic Carryout Bags Prohibited.**
1. No Retail Establishment shall provide a Single-Use Carryout Bag to a Customer at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the establishment except as provide in this Ordinance.

2. This prohibition applies to bags provided for the purpose of carrying away goods from the point of sale and does not apply to Produce Bags or Product Bags.

Permitted Bags.

All Retail Establishments shall provide or make available to a Customer only Recycled Paper Carryout bags or reusable bags for the purpose of carrying away goods or other materials from the point of sale, subject to the terms of this ordinance. Nothing in this ordinance prohibits Customers from using bags of any type that they bring to the Retail Establishment themselves or from carrying away goods that are not placed in a bag, in lieu of using bags provided by the store.

Regulation of Recycled Paper Carryout Bags.

1. Any Retail Establishment that provides a Recycled Paper Carryout Bag or Reusable Bag to a Customer must charge the Customer a minimum charge of 10 cents ($0.10) for each bag provided, except as otherwise provided in the ordinance.

2. One year after the ordinance is enacted a Retail Establishment may make available for sale to a Customer a Recycled Paper Bag for a minimum charge of fifteen cents ($0.15).

3. Two years after the ordinance is enacted Retail Establishment may make available for sale to a Customer a Recycled Paper Bag for a minimum charge of 25 cents ($0.25).

4. All Retail Establishments must indicate on the Customer receipt the number of Recycled Paper Carryout Bags provided and the total amount charged for the bags.

5. All monies collected by a Retail Establishment under this ordinance will be retained by the Retail Establishment and may be used for any of the following purposes:
   a. costs associated with complying with the requirements of this ordinance,
   b. actual costs of providing Recycled Paper Carryout Bags, or
   c. costs associated with a Retail Establishment's educational materials or education campaign encouraging the use of reusable bags, if any.
   d. fund reusable bags giving-aways during limited-time store promotions.

6. Retail Establishments are encourage to provide a minimum credit of five cents ($0.05) for each Reusable Bag brought to the Retail Establishment by Customers who bring Reusable Bags to the Retail Establishment for use.

7. All Retail Establishments must report to the City Manager (or Other Designee), on an annual basis, the total number of Recycled Paper Carryout Bags provided, the total amount of monies collected for providing Recycled Paper Carryout Bags, and a summary of any efforts a Retail Establishment has undertaken to promote the use of
reusable bags by Customers in the prior year. Such reporting must be done on a form prescribed by the City Manager, and must be signed by a responsible agent or officer of the Retail Establishment confirming that the information provided on the form is accurate and complete. All reporting must be submitted no later than 45 days after the end of each calendar year.

8. If the reporting required is not timely submitted by a Retail Establishment, such Retail Establishment shall be subject to the fines set forth.

Use of reusable bags.

1. All Retail Establishments must provide Reusable Bags to Customers, either:
   a. for sale; or
   b. at no charge during limited-time store promotions.

2. Each Retail Establishment is strongly encouraged to educate its staff to promote reusable bags and to post signs encouraging Customers to use reusable bags.

Exempt Customers.
A Retail Establishments must provide at the point of sale, free of charge, either reusable bags or Recycled Paper Carryout Bags or both, at the Retail Establishment’s option, to any Customer participating either in the California Special Supplemental Food Program for Women, Infants, and Children pursuant to Article 2 (commencing with Section 123275) of Chapter 1 of Part 2 of Division 106 of the Health and Safety Code or in the Supplemental Food Program pursuant to Chapter 10 (commencing with Section 15500) of Part 3 of Division 9 of the Welfare and Institutions Code, the State Department of Social Services Food Stamp program, other government-subsidized purchase programs for low-income residents.

Operative date.
This ordinance shall become operative six (6) months from the date that it is adopted.

Enforcement and violation-penalty.

1. The City Manager and/or his/her agent has primary responsibility for enforcement of this ordinance. The City Manager is authorized to promulgate regulations and to take any and all actions reasonable and necessary to enforce this ordinance, including, but not limited to, investigating violations, issuing fines and entering the premises of any Retail Establishment during business hours. Other City/County staff may assist with this enforcement responsibility by entering the premises of a Retail Establishment as part of their regular inspection functions and reporting any alleged violations to the City Manager.

2. If the City Manager determines that a violation of the ordinance has occurred, he/she will issue a written warning notice to the Operator of a Retail Establishment that a violation has occurred and the potential penalties that will apply for future violations.

3. Any Retail Establishment that violates or fails to comply with any of the requirements of the ordinance after a written warning notice has been issued for that violation shall be guilty of an infraction.

4. If a Retail Establishment has subsequent violations of the ordinance that are similar in kind to the violation addressed in a written warning notice, the following penalties will be imposed and shall be payable by the Operator of the Retail Establishment to
the City/County of _____ (insert name):
   a. A fine not exceeding one hundred dollars ($100.00) for the first violation after
      the written warning notice is given;
   b. A fine not exceeding two hundred dollars ($200.00) for the second violation
      after the written warning notice is given; or
   c. A fine not exceeding five hundred dollars ($500.00) for the third and any
      subsequent violations after the written warning notice is given.

5. A fine shall be imposed for each day a violation occurs or is allowed to continue.

6. All fines collected pursuant to the ordinance shall be deposited in the (fund to be
   determined by municipality/enforcing agency) to assist the department with its costs
   of implementing and enforcing the requirements of the ordinance.

7. Any Retail Establishment Operator who receives a written warning notice or fine may
   request an administrative review of the accuracy of the determination or the propriety
   of any fine issued, by filing a written notice of appeal with the City Manager no later
   than 30 days after receipt of a written warning notice or fine, as applicable. The
   notice of appeal must include all facts supporting the appeal and any statements and
   evidence, including copies of all written documentation and a list of any witnesses
   that the appellant wishes to be considered in connection with the appeal. The appeal
   will be heard by a hearing officer designated by the City Manager. The hearing officer
   will conduct a hearing concerning the appeal within 45 days from the date that the
   notice of appeal is filed, or on a later date if agreed upon by the appellant and the
   City/County of _____ (insert name), and will give the appellant 10 business days
   prior written notice of the date of the hearing. The hearing officer may sustain,
   rescind, or modify the written warning notice or fine, as applicable, by written
   decision. The hearing officer will have the power to waive any portion of the fine in a
   manner consistent with the decision. The decision of the hearing officer is final and
   effective on the date of service of the written decision, is not subject to further
   administrative review, and constitutes the final administrative decision.

Severability.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any
reason held to be invalid by a decision of any court of competent jurisdiction, that
decision will not affect the validity of the remaining portions of the ordinance. The CITY
COUNCIL/BOARD OF SUPERVISORS hereby declares that it would have passed this
ordinance and each and every section, subsection, sentence, clause, or phrase not
declared invalid or unconstitutional without regard to whether any portion of this
ordinance would be subsequently declared invalid.

No conflict with federal or state law.

Nothing in this ordinance is intended to create any requirement, power or duty that is in
conflict with any federal or state law.
Date: May 16, 2012

To: Management Committee

From: Steven Spedowfski, Management Committee Chair
Tom Dalziel, Program Manager, Contra Costa Clean Water Program

Subject: Action Item C - NOMINATE and ELECT the Management Committee Chair and Vice-Chair for Fiscal Year 2012/13

Recommendation:

Receive nominations and conduct elections to choose the FY 2012/13 Management Committee Chair and Vice-Chair.

Background:

The Contra Costa Clean Water Program (Program) Agreement (2010-2025) stipulates the Chair and Vice-Chair of the Management Committee shall be chosen in May each year to serve for the following fiscal year.

At the May 16, 2012 Committee meeting, the current Chair, Steven Spedowfski, will accept nominations; and, conduct elections to choose: 1) the Management Committee Chair; and 2) the Management Committee Vice-Chair effective July 1, 2012.

The Management Committee Chair automatically serves as the Administrative Subcommittee Chair. A separate selection process is conducted by the Administrative Committee for electing its Vice-Chair at its July meeting.

The attachment to this staff report is an exhibit from the Program Agreement (2010-2025), which contains a rotation guideline for voting participation on the Administrative Committee through FY 2014/15. For Fiscal Year 2012/13, the cities/towns of Concord, Danville, Oakley, San Pablo, and El Cerrito; Contra Costa County; and, the Contra Costa County Flood Control and Water Conservation District are scheduled to be voting members on the Administrative Committee. If the Management Committee elects a Chair from a municipality other than those mentioned above, then modifications to voting membership on the Administrative Committee for FY 2012/13 will be necessary under Action Item D.
For example, last year the Town of Moraga gave up its seat on the Administrative Committee. San Ramon’s Steven Spedowsfski filled this seat as the newly elected Chair.

**Fiscal Impact:**

There is no fiscal impact associated with this item.

**Attachment(s):**


TD:fv
G:\NPDES\Management Committee\Packet\11 12\Shells Working Docs\Tom\May 2012\Action Item C.docx
## EXHIBIT “A”

### CONTRA COSTA CLEAN WATER PROGRAM

### ADMINISTRATIVE COMMITTEE

### PARTICIPATION ROTATION GUIDELINE

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To: Management Committee

From: Steven Spedowfski, Management Committee Chair
      Tom Dalziel, Program Manager, Contra Costa Clean Water Program

Subject: Action Item D – APPROVE the Management Committee Chair’s Recommendations for Co-Permittee Participation on Named Subcommittees Effective July 1, 2012

Recommendation:

Approve the Management Committee Chair’s recommendations for Co-permittee voting membership on named subcommittees effective July 1, 2012.

Background:

In May of each year, the Contra Costa Clean Water Program Agreement (2010-2025) requires Management Committee consideration of subcommittee voting membership for the following fiscal year. The Management Committee Chair is responsible for recommending, after consultation with all Co-permittees, membership on the subcommittees effective July 1.

Discussion:

The Management Committee Chair is tentatively recommending the subcommittees voting membership shown in Table 1 (see following page). (Note: Modifications may be necessary based upon the election of the Management Committee Chair held under Action Item C in this agenda packet.) The subcommittee voting membership requirements and guidelines as outlined in the Program Agreement (2010-2025) are as follows:

- Administrative Subcommittee:
  a. Minimum number of voting members is seven (7).
  b. The Management Committee Chair shall serve as Chair of the Administrative Subcommittee.
c. Contra Costa County and the Contra Costa County Flood Control & Water Conservation District are permanent members of the Administrative Committee.

d. Antioch, Concord, and Richmond, the three “Designated Large Municipalities” per the Program Agreement, shall annually rotate voting membership on the Administrative Committee. Per the “Participation Rotation Guideline” in the Program Agreement, the City of Concord is designated for Fiscal Year 2012/13.

e. Remaining voting members shall generally follow the “Participation Rotation Guideline” in the Program Agreement. The cities of El Cerrito, Oakley, and San Pablo, and the Town of Danville are designated as voting members for Fiscal Year 2012/13.

* The “Participation Rotation Guideline” in the Program Agreement is a guideline and subject to change depending on the selection of the Management Committee Chair (see Action Item "C"). The goal is to maintain balanced representation from the following four geographical areas of the County (i.e., West County, East County, Central/North County/ and Lamorinda/South County).

• The Program Development, Monitoring, Municipal Operations and Public Information/Participation Subcommittees; and, the BASMAA Development, Monitoring, Municipal Operations/Trash, and Public Information/Participation Committees:

a. Minimum number of voting members on any of the above Program subcommittees is five (5).

b. Minimum number of voting members on any of the above BASMAA subcommittees is one (1); however, it is strongly suggested that an alternate voting member be designated and attend each of the above BASMAA subcommittees.

c. Except as stipulated below, all Co-Permittees shall at a minimum participate as a voting representative on one (1) of the above named Program subcommittees, or on one (1) of the above named BASMAA subcommittees:

1. Municipalities with a population of 50,000 people or more shall participate as voting members on a minimum of two subcommittees. This includes the cities of Antioch, Brentwood, Concord, Pittsburg, Richmond, San Ramon and Walnut Creek.

2. Contra Costa County and the Contra Costa County Flood Control and Water Conservation District; and, the “Designated Large Municipality” participating on the Administrative Committee (i.e., Concord) as a voting member shall participate on a minimum of two (2) subcommittees, in addition to the Administrative Committee.
The Management Committee Chair is tentatively recommending approval of the following membership on named subcommittees effective July 1, 2012:

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</table>

Total Voting Members: 7 10 6 11 6 1 3 0 1
Required Voting Members: 7 5 5 5 5 1 1 1 1
Total Non-Voting Members: 1 1

*Over 50,000 population. Per Program Agreement, shall provide voting members on two subcommittees.

**Per Program Agreement, shall provide voting members on two subcommittees, in addition to the Administrative Subcommittee.

X = voting, NV = non-voting

AC = Administrative Committee; DC = Development Committee; Mon = Monitoring Committee; MOC = Municipal Operations Committee; and PIP = Public Participation / Participation Committee
**Fiscal Impact:**

None.

**Attachment(s):**

None.

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To: Management Committee
From: Tracy Hein, Program Staff
Contra Costa Clean Water Program
Subject: Action Item E - APPROVE and AUTHORIZE Program to Allocate Funding and Negotiate and Execute Contract with Debi Tidd, Our Water Our World

Recommendation:
Program staff is requesting authorization to allocate funding; and negotiate and execute contract with Debi Tidd with Our Water Our World.

Background:
The Fiscal Year 2012/13 Group Program budget provides funds to implement a variety of Program services/activities designed to comply with the mandates contained in the Municipal Regional Permit (MRP). Debi Tidd, through Our Water Our World (OWOW), directly supports permit Provision C.9.h, which requires outreach to consumers at the point of purchase. The OWOW program provides this outreach. The Public Information and Participation Committee plans to leverage the OWOW program as part of the overall pesticide reduction campaign required in Provision C.7.b. Program staff is requesting authorization to allocate specified funds (see options #1 and #2 below), and to authorize the Program to negotiate and execute a contract with Debi Tidd with OWOW for one of the following options:

1. Allocate funds not to exceed $23,000 to maintain the current number of stores (18) with the Our Water Our World outreach

2. Allocate funds not to exceed $27,000 to maintain the current 18 stores and add an additional 3 stores (anticipated to be Orchard Supply Hardware stores in El Cerrito and Pinole and the Home Depot in Concord) for Our Water Our World outreach.

Fiscal Impact:
The adopted Fiscal Year 2012/2013 Group Program budget line item 14.J. provides $30,000 for “Public outreach/website (OWOW)”. Should the Management Committee approve option #1 or option #2, either $7,000 or $3,000, respectively, would remain unspent for further outreach in compliance Provision C.9.h.i & iii (Pesticide Public Outreach).

**Attachments:**

1. Our Water Our World - Participating Stores within Contra Costa County.
Our Water Our World
Participating Stores within Contra Costa County

Alamo

• Bills Ace Hardware

Concord

• Orchard Supply Hardware, Monument
• Orchard Supply Hardware, Ygnacio Valley Rd.
• Bills Ace Hardware
• Navlet's

Danville

• Sloat Gardens
• Navlet's

Martinez

• Bills Ace Hardware
• Navlet's

Moraga

• Moraga Garden Center

Orinda

• Orchard Nursery and Florist
• McDonnel Nursery

Pleasant Hill

• Bills Ace Hardware
• Navlet's

Richmond

• Annie's Annuals
• Urban Farmer

San Ramon

• Orchard Supply Hardware

Walnut Creek

• Bills Ace Hardware
To: Management Committee
From: Elisa Wilfong, Watershed Management Planning Specialist
Contra Costa Clean Water Program
Subject: Staff Report A - Model Stormwater Ordinance Update

Recommendation:
Receive report.

Background:
The Model Stormwater Ordinance Ad Hoc Workgroup reconvened on March 28, 2012 to discuss prior edits and considerations for revising the current model stormwater ordinance. Many of the amendments written in the current stormwater ordinance are no longer necessary or conflict with the MRP. The subcommittee reviewed the model and edited where necessary.

A revised draft model stormwater ordinance was provided to the City/County Stormwater Subcommittee for review on April 23. Comments on the draft are expected in the next several weeks. The workgroup will then review the edits with the attorneys and produce a final draft model stormwater ordinance for Management Committee consideration. Each municipality would then need to take the model stormwater ordinance to their governing bodies for approval. The workgroup anticipates bringing the final draft model stormwater ordinance to the Management Committee for consideration in June or July.

Fiscal Impact:
None.

Attachment(s):
None.
To: Management Committee

From: Jamison Crosby, Watershed Management Planning Specialist
       Contra Costa Clean Water Program

Subject: Staff Report B - Central Valley Regional Water Quality Control Board – Mercury Control Studies Workplan

Date: May 16, 2012

Recommendation:

Receive update.

Background:

Last month, the Management Committee approved the submittal of a letter to the Central Valley Regional Water Quality Control Board (Water Board) requesting an extension of time to develop a workplan for Mercury Control Studies in accordance with the Delta Methylmercury TMDL.

The Program received a response letter from Central Valley Water Board Executive Officer, Pamela Creedon on May 2, 2012 granting the requested extension. As a result, our Mercury Control Studies Workplan will be due on or before April 20, 2013.

Program staff will be working with our consultant, Brown and Caldwell, and Permittees over the following months to develop the workplan for submittal to the Water Board by the April 20, 2013 deadline.

Fiscal Impact:

Unknown at this time.

Attachment(s):

1. Letter from Pamela Creedon, CVRWQCB.
2 May 2012

Thomas Dalziel
Program Manager
Contra Costa Clean Water Program
255 Glacier Drive
Martinez, CA 94553-4825

Extension of Methylmercury Control Study Workplan Due Date

Thank you for your letter dated 20 April 2012 requesting an extension to submit a Phase 1 Methylmercury Control Study Workplan. Your request was submitted in accordance with the Delta Mercury Control Program that allows a nine-month extension for workplans that are developed in a coordinated, collaborative approach.

I hereby grant your request for the time extension. A Control Study Workplan for the Contra Costa Clean Water Program is due on or before 20 April 2013. Each workplan shall contain detailed plans for the control studies and work to be accomplished during Phase 1 and is to specify the tasks that your agency will be responsible for completing.

My staff is available to assist you with the studies. Please contact Janis Cooke at (916) 464-4672 or Patrick Morris at (916) 464-4621 for more information.

Pamela C. Creedon
Executive Officer

cc: (See second page)
cc: Phil Hoffmeister  
City of Antioch  
P.O Box 5007  
Antioch CA 94531-5007

Jagtar Dhaliwal  
Engineering Manager  
City of Brentwood  
150 City Park Way  
Brentwood, CA 94513

Mike Carlson  
Assist. Public Works Dir. & FCD Chief  
Contra Costa County Flood Control &  
Water Conservation District  
255 Glacier Drive  
Martinez, CA 94553

Keith Coggins  
Stormwater Program Coordinator  
City of Oakley  
3231 Main Street  
Oakley, CA 94561

CeCe Selgren  
Program Manager  
Contra Costa County  
255 Glacier Drive  
Martinez, CA 94553

Jamison Crosby  
Watershed Management Planning Specialist  
Contra Costa Clean Water Program,  
255 Glacier Drive  
Martinez, CA 94553
Date: May 16, 2012

To: Management Committee

From: Tracy Hein, Program Staff
Contra Costa Clean Water Program

Subject: Staff Report C – Contra Costa Clean Water Program Community Calendar Enhancement

Recommendations:

Receive report and anticipate being contacted by Program staff to identify an appropriate contact to assist in developing a list of events to post on a community calendar on the Program’s website this summer.

Background:

The Clean Water Program website has, for many years, contained a Community Calendar to list events taking place throughout the county. To date, the calendar has been underutilized. The Public Information and Participation Committee is working with Program staff and O’Rorke, Inc., to develop a comprehensive and engaging community calendar for the website. The goal for this Calendar is to provide residents throughout the county with a single destination for watershed related events, activities and volunteer opportunities.

One of the first steps toward constructing this calendar includes securing a 'calendar contact' from each municipality in the county. Program staff would like Management Committee members to know that staff will be reaching out to them for assistance in identifying appropriate contacts. Once this contact is identified, staff will coordinate with them to begin creating a short list of events that can be posted to the calendar this summer.

As part of the overall enhancement effort, the goal is to eventually redesign the calendar to be more visually compelling. In addition, part of this redesign would include building a procedure, process or system that will: a) allow approved organizations to easily submit events for placement on the community calendar;
and, b) allow Program staff to easily review and quickly post approved events to the calendar.

**Fiscal Impact:**

None.

**Attachment(s):**

None.
Internal Meeting

1. Budgeting and planning for Regional Projects (open only to BASMAA and member program representatives / staff, and invited participants)
   A. Miscellaneous topics – planning, reporting and implementation issues for the MPC and RMC:
   B. Regional POC Projects topics

Main Meeting

2. Introductions, Announcements, and Changes to Agenda (Arleen Feng)

3. Approval – March 7, 2012 meeting summary (Arleen Feng)
   ☑ Vote: The Committee approved the March 7, 2012 meeting summary as provided.

4. MPC / BOD Status Review (Arleen Feng)
   A. BOD update – March 22 meeting. The Board of Directors approved the finalized Regional Monitoring Coalition Creek Status and Long-Term Trends Monitoring Plan as a final BASMAA work product
   B. Action Items from previous MPC meetings
      Outcomes: Received updates and reviewed Action Item status

   - Action: Update Action Items table  
     Arleen Feng | TBD

5. Regional Monitoring Coalition (C.8.c, e, g, h)
   A. Creek Status Monitoring (All)
      Outcome: Received update on time-critical follow-up items from 3/26 RMC Work Group meeting

   - Action: Send recommended rain gauge station locations for documenting last rainfall to Armand Ruby  
     MRP program representatives | TBD

   B. POC Loads Monitoring (Arleen Feng)
      Outcome: Received update on Small Tributaries Loading Strategy and monitoring activities / meeting

   - Action: Send out update of 4/12/12 STLS meeting  
     Arleen Feng | TBD
6. Updates on other Regional Projects, initiatives of regional interest (All)
   A. PCB-Hg Pilot Projects Desktop Analysis (MRP C.11/12.d) (Jon Konnan)
      Outcomes:
      • Reviewed work plan and timeline;
      • Provided initial feedback on draft Conceptual Model and decision tool;
      • Discussed next steps regarding information needs; and
      • Reviewed draft Project Profile and identified process/timeline for finalizing.

      ➢ Action: Send out the Draft Desktop Analysis Conceptual Model, Decision Tree and Task 4 Details documents for comments back by 4/11
            Lisa Sabin       ASAP

      ➢ Action: Send draft Project Profile to MPC reps for further review, comment, and declaration of BOD recommendation option by 4/13
            Arleen Feng       ASAP

   B. Mercury-collection reporting (C.11.a / C.11/12.g) (Chris Sommers)
      Outcomes: Reviewed draft mercury recycling loads estimation guidance for Annual Reporting; Identify next steps

      ➢ Action: Send out loads calculation spreadsheet
            Chris Sommers       4/30

   C. Regional Monitoring Program update (Chris Sommers)
      Outcome: Received update on RMP multi-year planning

7. Review New Actions and Deferred items (Arleen Feng)

8. Adjourn

   Next BASMAA Monitoring / POCs Committee meeting is Wednesday, May 2, 2012
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X = In-person; P = by phone
Commercial/Industrial Stormwater Inspection Training Workshop
Thursday, June 7, 2012 from 9:00 AM to 3:00 PM (PT)
Richmond, CA

Ticket Information

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Share this! 

Event Details

An annual workshop for stormwater inspectors to learn the latest changes to comply with the Municipal Regional Permit (MRP).

Thursday, June 7, 2012, 9:00 a.m. to 3:00 p.m.
City of Richmond-Multipurpose Room, 440 Civic Center Plaza, Richmond, CA

The Regional Water Quality Control Board recently made changes to the MRP. This workshop will provide information for stormwater inspectors to use while inspecting commercial or industrial facilities. The workshop will cover:

- Food service alternative products;
- Enforcing local ordinances for food ware;
- Identifying mercury and copper during stormwater inspections;
- Current stormwater enforcement cases in Contra Costa County;
- Building rapport with businesses;
- A guided tour and mock assessment of Richmond Pick N Pull.

Presenters:
Elise Wilfong, Watershed Management Planning Specialist, Contra Costa Clean Water Program
Lynne Scarpa, Environmental Manager-Stormwater Program, City of Richmond
Colleen Henry, Senior Environmental Compliance Inspector, Contra Costa Central Sanitary District
Stacy Grassini, Lead Attorney-Environmental Enforcement, Contra Costa County District Attorney's Office
Tim Potter, Environmental Compliance Superintendent, Contra Costa Central Sanitary District

Parking is located at the City of Richmond offices. Continental breakfast will be provided starting at 8:45 a.m. Registration from 8:45-9:00 a.m. Lunch will be provided. Transportation from the classroom site to Richmond and back will also be provided.
CASQA 2011
Annual Report

Dedicated to the advancement of stormwater quality management through
» collaboration
» education and outreach
» implementation guidance
» regulatory review
» scientific assessment

CASQA
CALIFORNIA STORMWATER QUALITY ASSOCIATION
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8  Awards of Excellence
10 The Seventh Annual Conference
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12 Financial Summary
13 Board of Directors and Executive Program Committee
14 Looking Forward – 2012

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*Mark Crey of the Building Industry Association of Southern California moderates a session at the 2011 CASQA Conference.*
We are in a renaissance period for stormwater, pushed along by TMDLs and more sophisticated permit requirements, and a new economy that demands efficiency and performance. Professionals are turning their attention from the urbanizing fringe to the built environment, to examine ways to make meaningful progress in receiving water quality improvement. Funding for stormwater programs remains a key factor governing the rate of progress but also ensures prioritization.

CASQA has invested your resources wisely by continuing to assess the path ahead strategically. There were many programs we focused on this year reflecting internal priorities and external issues. I would like to take a moment to highlight some of them:

- Automation of the QSD/QSP registration and examination process. When CASQA agreed to assist the State Water Board in administering the Trainer of Record and QSD/QSP programs, there was no blueprint. Our Training Subcommittee, staff, and contractors built the system from the ground up. Mid-year, we began transitioning the system to the web, a process that was completed in the fall. This has greatly improved the service we can provide to the construction program SWPPP Developers and Practitioners.

- Review and comment on the draft Industrial General Permit and the Phase II General Permit. Each of these general permits required hours of research and discussion to develop comment response packages. Our Phase II and Industrial Subcommittees made extraordinary efforts to develop the permit reviews.

- The 9th Circuit Court of Appeals handed down a decision that apparently eliminates the safe harbor provision for some permittees and creates confusion about the definition of receiving water and the point of compliance. The CASQA Board of Directors took the unprecedented step of filing an Amicus Brief with the Supreme Court of the United States, asking the Court to hear the appeal filed by the Los Angeles County Flood Control District on the grounds that there are questions of significance for all permittees within the 9th Circuit's jurisdiction. It is incumbent on CASQA to take a leadership role in major legal decisions affecting our members.

The CASQA Board of Directors is working with the State and Regional Water Boards to improve the stormwater permitting process in California. This work will continue into 2012 and is designed to improve water quality.

I am also happy to report that the number of CASQA members continues to expand. About 100 new members were added in 2011, confirming the efforts of our Membership Committee and the value of CASQA products and services. Now this year to the CASQA Annual Conference was a very successful QSD/QSP forum as well as a Monday night social event. Plan now to attend the 2012 conference in November in San Diego.

We have also made important strides in the pesticide regulation process. The persistence of our Pesticides Subcommittee has paid off with positive changes in assessment and label restrictions for pesticide application in urban areas. Both the California Department of Pesticide Regulation and the US EPA Office of Pesticide Programs are acknowledging the important work CASQA is doing for pesticide regulation and re-registration.

It has been a pleasure serving as your Chair for the past two years and a privilege to have seen our organization grow during a time of rapid change.

The strength of CASQA is drawn from its members and an exceptional level of internal and external collaboration. I look forward to an even better future.

- Scott Taylor
  Chair of the CASQA Board of Directors
The California Stormwater Quality Association is dedicated to developing and implementing effective stormwater quality management programs. CASQA membership is comprised of stormwater practitioners, NPDES Permit holders and parties engaged in the improvement of stormwater quality and employed by private corporations, municipalities, the state and the federal government.

ORGANIZATION OVERVIEW

CASQA's Mission

"Advance stormwater quality management through collaboration, education, implementation guidance, regulatory review, and scientific assessment."

CASQA developed a strategic plan to guide the efforts of the association. The plan is structured around a series of technical and organizational goals. The programs CASQA pursues will support the goals of the association and provide value for the CASQA membership through the development of more effective stormwater quality programs. The principal technical goals in the strategic plan are:

» Collaboration
» Education and Outreach
» Implementation Guidance
» Regulatory Review
» Scientific Assessment

ORGANIZATIONAL STRUCTURE

Board of Directors

The CASQA Directors (eleven elected volunteers) provide the vision and direction for CASQA, manage its activities and affairs, and exercise the association's corporate powers. The Board of Directors is responsible for, among other things: (i) adopting an annual budget, (ii) adopting the annual dues schedule, and (iii) adopting policies and positions concerning regulations, legislation and litigation. Since 2002, the Board of Directors has guided the establishment of CASQA as a widely recognized and well respected nonprofit, educational, scientific, and professional association.

Officers

Officers of the corporation are: Chair, Vice-Chair, Treasurer, Secretary, and Executive Program Coordinator. Officers are elected by the Board of Directors and serve two-year terms.

Executive Director

The CASQA Executive Director manages the day-to-day activities of CASQA, serves as the primary liaison with members, government agencies, and other organizations, and helps to set and achieve the vision for the future and growth of CASQA.

(continued on next page)
Committees of the Board of Directors

The Board of Directors creates committees that accomplish the goals of CASQA, each consisting of two or more directors, and other persons that the directors may appoint. Standing board committees are: Awards, Bylaws Review, Executive Program Committee (EPC), Finance, and Membership (see Organization Chart above).

**Awards** advances the stormwater quality management profession by identifying and recognizing exemplary leadership, outstanding projects, activities, and contributions to the field of stormwater quality management.

**Bylaws Review** reviews the bylaws annually and makes recommendations for revisions as necessary to ensure smooth and efficient operation of CASQA.

**Executive Program** comprises no more than twenty-seven (27) members and directs the technical work of the association through subcommittees.

**Finance** manages CASQA’s fiscal resources, proposes the annual operating budget, and oversees the membership invoices.

**Membership** retains existing members, outreaches to potential new members, and improves membership value.

(continued on next page)
OTHER LEADERSHIP

Subcommittees of the EPC

Fourteen subcommittees focus on different areas of stormwater management, under the auspices of the EPC (see Organization Chart, previous page). The basic charter of each subcommittee is outlined in the summary to the right.

CASQA Representatives

CASQA encourages individuals to serve on committees and other groups to represent the interests of stormwater quality management and CASQA members.

EPC SUBCOMMITTEES SUMMARY

Best Management Practices (BMPs) provides contemporary information on BMPs primarily through the BMP Handbooks.

Conference serves to increase awareness and knowledge of stormwater quality management issues through developing the annual CASQA conference and associated workshops.

Construction identifies emerging issues and tracks trends and regulatory requirements for construction stormwater dischargers and assists members with identifying possible solutions to evolving regulatory requirements.

Effectiveness Assessment provides input and guidance on stormwater program effectiveness assessments, including a standardized conceptual approach to evaluating municipal program elements.

Industrial ensures the issues and concerns of regulated industrial stormwater discharger members are represented in policies and regulations, including permitting and numeric effluent limits.

Legislation tracks stormwater related legislation in the California Senate and Assembly and United States Congress, prepares quarterly legislative summaries for CASQA members, and prepares fact sheets on key legislation that can be used by members to educate their organizations about potential impact of proposed legislation.

Monitoring and Science improves scientific and technical basis of stormwater management programs by developing research and monitoring priorities and seeking collaborators, partners, and grant funding for needed research.

Pesticides addresses pesticide uses that impact stormwater discharges, provides input to USEPA and the California DPR to improve regulations, compiles relevant information, assists members with compliance strategies, and coordinates its activities with other agencies statewide.

Phase II seeks to educate and engage Phase II programs in stormwater management issues and provides a forum for information exchange and collaboration.

Policy and Permitting develops comments and testimony on State, USEPA, and precedent-setting regional policies and permitting initiatives, and promotes the development of a statewide stormwater policy.

Public Information / Public Participation provides a forum for stormwater public outreach professionals to share ideas and assists in coordinating outreach efforts in California.

Training oversees the development and implementation of long-term sustainable training programs to meet the needs of California stormwater practitioners.

Watershed Management and Impaired Waters promotes the development and application of appropriate water quality standards through tracking and commenting on 303d listings and policy and implementation of TMDLs, facilitates source control, and provides guidance on hydro-modification management.

Website maintains the CASQA website as a stormwater management resource for members and the general public.
CONSTRUCTION GENERAL PERMIT TRAINING PROGRAM

The Construction General Permit (CGP) Training Program is managed and administered by CASQA and was developed in collaboration with the State Water Board, the Office of Water Programs (OWP) at Sacramento State, and a 20+ member CGP Training Team.

The State Water Board’s Construction General Permit calls for most permit compliance activities to be conducted by Qualified Stormwater Pollution Prevention Plan (SWPPP) Developers (QSDs) and Qualified SWPPP Practitioners (QSPs), and for those personnel to have attended a State-approved training course by September 2, 2011. To meet this pending regulatory deadline, a crush of professionals sought to take their trainings and exams, and complete their QSD and QSP registrations in 2011.

CASQA rose to this challenge by working with the Water Board and OWP to make the following changes to the program in 2011:

- **Examinations**: Moved from all in-person QSD and QSP exams at a limited number of locations and dates to all online examinations available on demand.

- **Exam Scoring**: Moved from manual scoring to computerized scoring.

- **Registration**: Moved from manual data entry, registration, and certificate issuance to an all computerized, self-service system in which QSD and QSP applicants can view their information and update their accounts.

The CGP Training Team continues to provide overall direction and guidance to the Construction General Permit Training Program. And CASQA continues to oversee, monitor, and evaluate the performance of the Trainers of Record while the Water Board continues to address performance issues for QSDs and QSPs. CASQA believes the training program is now well positioned to continue to help construction permittees meet their permit compliance needs in an efficient and effective manner for the permittees, their construction sites, and our water environment.

### 2011 by the Numbers

As of mid-December 2011

- **Trainees of Record**: 104
- **QSD and QSP Students**: > 9,500
  - QSDs: 2,385 (2,253 qualified in 2011)
  - QSPs: 1,410 (1,400 qualified in 2011)
AWARDS OF EXCELLENCE

CASQA RECOGNIZES EXCELLENCE IN STORMWATER QUALITY MANAGEMENT

CASQA presented five awards at its Seventh Annual Stormwater Conference Awards Luncheon on September 27, 2011 at the Hyatt Regency in Monterey.

"The Awards Committee evaluated how creative and innovative organizations could be as they addressed stormwater and environmental challenges in their communities. These particular projects embody both best practices and creative concepts in stormwater management. We recognize their success, innovation and dedication to the improvement of stormwater quality in California," said Jill Bicknell, Awards Committee chair.

This year’s five award recipients received recognition for excellence in four categories:

The Outstanding Stormwater News, Information, Outreach and Media Award was presented to the CITY OF SUNNYVALE for its "Earth Care Kidz" youth program which demonstrated a unique, integrated, and cooperative approach among staff from the Departments of Public Works, Public Safety, and Community Services to educate campers about pollution prevention and sustainability issues. Campers learn about actions/choices they can make (at their young age) to have a safe, healthy community and environment, while having fun at the same time.

The Outstanding Stormwater Best Management Practice (BMP) Implementation Program Award was presented to the CITY OF OXNARD for its "Storm Drain Keeper Program," originally developed as a work/learn program for youth in the Oxnard City Corps program. Participants are educated in tools and techniques of flood control channel maintenance as well as the environmental impact of trash and debris. While performing channel maintenance, City Corps staff also help track the types and sources of trash removed, and study adjacent watersheds to identify patterns of trash movement.

WHERE SHOULD IT GO? BEAN BAG GAME IN SUNNYVALE'S EARTH CARE KIDZ CAMP (LEFT); SANTA BARBARA SEWAGE SNIFING CANNIES SABLE AND LOGAN ARE RESCUE DOGS TRAINED TO ALERT TO HUMAN WASTE AND DETERGENTS (BELOW)

The Outstanding Stormwater Research Project Award was presented to the CITY OF SANTA BARBARA for its "Canine Scent and Microbial Source Tracking," a project designed to: compare the canine responses to chemical and microbial indicator analyses, use canine scent tracking to investigate recreational vehicle dumping to storm drains, and determine the feasibility of canine scent tracking for use in watershed reconnaissance studies.
The awards program identifies and recognizes creative approaches, outstanding projects, best practices and exemplary accomplishments in the field of stormwater quality management.

**The Outstanding Stormwater BMP Implementation – Comprehensive Regional Project Award** was presented to the CITY OF MALIBU for its “Malibu Legacy Park” project, which has provided exceptional and sustainable improvements to the water quality in Malibu Creek, Malibu Lagoon, and local beaches. The innovative efforts performed at the Legacy Park have enhanced the use of these resources for recreation, aided in the restoration of riparian habitats, and provided effective treatment for removal of bacteria in stormwater.

**The Outstanding Stormwater BMP Implementation – Targeted Local Project Award** was presented to the CITY OF HERMOSA BEACH for its “Hermosa Strand Infiltration Trench,” the first project of its kind in California. This full-scale pilot project was created to demonstrate the effectiveness of beach infiltration of storm drain flows during dry weather and small storms as a simple, cost-effective alternative to diverting storm drain flows to the sanitary sewer for compliance with Federal and State beach recreational water quality standards.

CASQA awards are available to both public and private projects and individuals from public agencies and private businesses. Award candidates must be nominated by a CASQA member and are evaluated on demonstrated excellence, ingenuity, creativity, professionalism and documented results. Awards may be made at local, regional and state-wide levels.

CONSTRUCTION OF HERMOSA BEACH INFILTRATION TRENCH – NATIVE SAND FILTERS 100% OF BACTERIA LOAD FROM DIVERTED RUN-OFF (LEFT)

OUTSTANDING SERVICE AWARD WINNERS (FROM LEFT TO RIGHT): MATT LENTZ, CHRIS CROMPTON, KATHARINE WAGNER, ANNA LANTIN, SANDY MATHews, CARMEL BROWN, DANIEL APT, AND REBECCA SIKOVOY-WINER. NOT SHOWN: MONICA ESPINOZA.
STORMWATER MANAGEMENT
Practical Solutions to Changing Conditions
The annual CASQA Conference has established itself as a “must attend” training event for stormwater professionals. Presentations were made by some of the most influential and experienced people in the stormwater field. From construction permitting to the latest legal, policy, scientific and technical information regarding stormwater management – this conference had something for every stormwater professional. The conference was opened by a thought provoking keynote from Dr. Stephen Palumbi, the Director of Stanford University’s Hopkins Marine Station, on a good-news environmental story about the difference that ordinary citizens can make in creating diverse, sustainable ecosystems and economies.

The conference also featured 78 technical sessions in five concurrent tracks across two days. A wide range of subjects was covered including the construction permit; industrial permit; modifying public behavior; program assessment; regulations, permits and policies; scientific advances; stormwater treatment; sustainable development; TMDLs in MS4 Permits; and true source control. In addition to the technical sessions, exhibits by 46 vendors featured a wide variety of stormwater products and services. Conference attendees interacted with the exhibitors in a relaxed environment to receive information on the products and services offered to assist stormwater professionals.

The plenary session, awards lunch and Tuesday morning’s General Construction Permit track were webcast in addition to all eight Monday pre-conference workshops. Also, for the first time, a fun Beach Party dinner and bonfire were held on Monday night.

CASQA looks forward to our next Annual Conference to be held at the Hilton San Diego Mission Bay Hotel, November 5-7, 2012, in beautiful San Diego, CA.

The Monday pre-conference workshops covered timely and important stormwater topics:

- **Implementing Low Impact Development (LID)** – Feasibility and Design Criteria and Case Studies on Green Streets and Drainage Retrofits
- **General Construction Permit** – Linear Underground/Overhead Projects (LUPs) and Sampling Protocols and SMARTS Reporting
- **Stormwater 101** – Program Fundamentals
- **General Industrial Permit** – Compliance and BMP Implementation
- **Phase 2 General Permit** – Implementation Challenges
- **Legal Framework** – Effluent Limits and Recent Court Decisions

Photo by Quin Compton
MONTEREY REGIONAL STORM WATER MANAGEMENT PROGRAM

Monterey Bay National Marine Sanctuary is a federally protected marine area offshore of California's central coast. The Sanctuary supports one of the world's most diverse marine ecosystems; it is home to numerous mammals, seabirds, fish, invertebrates, and several varieties of kelp. Marine protected areas help conserve ocean wildlife and marine ecosystems. Monterey Bay is not only an ecological resource but also an economic resource as well. Recreation and tourism drive the local coastal economy.

Because Monterey Bay is such a pristine area, the communities that border the Bay strive to protect the ocean and its beaches that provide such a high quality of life to visitors as well as residents. At the onset of the new Phase II MS4 regulations, the Monterey Bay coastal communities formed a working group comprised of public works representatives from each of the member entities. The working group evaluated the feasibility and benefits of obtaining a regional permit instead of individual permits. In 2002, to formalize the regional approach, the cities of Monterey, Seaside, Pacific Grove, Carmel-By-The-Sea, Marina, Del Rey Oaks, Sand City and the County of Monterey applied as co-permittees under a single General Permit. Pebble Beach Company, Monterey Unified, Pacific Grove Unified, and Carmel Unified School District all became coordinating entities, participating in Public Education and Outreach only.

Thus began the Monterey Regional Storm Water Management Program, also known as “MRSWMP.” Monterey Regional was the first coastal Phase II group to receive an approved SWMP. The purpose of the MRSWMP program is to reduce pollution from stormwater discharges and urban runoff. Monterey Regional works in partnership with many other organizations such as the Monterey Bay National Marine Sanctuary, Save The Whales, Ecology Action, and Sustainable Seaside and Sustainable Pacific Grove to increase public awareness of water quality issues and volunteer participation in beach clean up and outfall monitoring events.

The MRSWMP program is now entering its sixth year under its original permit. In working with the Monterey County Hospitality Association and the Chamber of Commerce, businesses in the area have increased their awareness regarding how their daily business activities can affect the quality of Monterey Bay. Education and outreach to local school children has also developed a new generation of environmentally conscientious individuals having learned about stormwater pollution prevention since kindergarten.

Besides bordering a national marine sanctuary, three co-permittees, Pacific Grove, Carmel-By-The-Sea, and Monterey County, discharge into an ASBS (Area of Biological Significance). New regulations currently proposed, the ASBS Special Protections, would mandate the elimination of all dry weather flows and require extensive and costly monitoring programs. Monterey Regional already has an outfall monitoring program that monitors 25% of receiving water outfalls four times a year.

As with almost all local governments, funding of the program is a significant challenge. Many options have been discussed, including local fees attached to particular services that are provided, such as development plan reviews. Another option is the less conventional, but perhaps necessary step of requesting the State representative to author and/or support legislation that would provide tax support through vehicle-related instruments such as fuel tax, tire tax or license fees. In addition, MRSWMP believes that there is a need for better coordination among state agencies that could result in the reduction or elimination of some common pollutants.

The MRSWMP program can be viewed at www.montereysea.org
The California Stormwater Quality Association was incorporated as a non-profit organization in the State of California on July 26, 2002 to assist entities that are charged with stormwater quality management responsibilities for the development and implementation of stormwater quality goals and programs within the state of California. Operations commenced January 1, 2003.

**STATEMENT OF ASSETS AND LIABILITIES**

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<thead>
<tr>
<th>Category</th>
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<tr>
<td>Assets</td>
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<tr>
<td>Liabilities</td>
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<tr>
<td>Net Assets</td>
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CASQA is organized and operated exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code. CASQA follows Financial Accounting Standards Board Statement (SEAS) No. 117, Financial Statements of Not-for-Profit Organizations, for presentation of its financial statements.

**Revenues** $926,482

**Expenses** $781,073

The financial summary below for the year ended December 31, 2010 is drawn from the REPORT ON AUDIT OF FINANCIAL STATEMENTS for the year ended December 31, 2010 (Burr, Pilger & Mayer, LLP).
2011 ORGANIZATION

For more information on CASQA Directors, Staff and Committees, please visit our Contacts page on the CASQA website.

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Scott Taylor — Chair, RBG Consulting
Matt Yeager — Vice-Chair / Executive Program Coordinator, Pacific Gas & Electric
Jason Uhley — Treasurer, Riverside County Flood Control
Jill Bicknell — Secretary, Santa Clara Valley Urban Runoff Pollution Prevention Program
Richard Watson — Program Coordinator, Richard Watson & Associates
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Rebecca Winer-Skonev / Jerry Montgomery Phase II Co-Chairs City of Davis / City of Lincoln
Richard Boon * Policy & Permitting Chair, County of Orange

EXECUTIVE PROGRAM COMMITTEE AT-LARGE MEMBERS

Angela George / Frank Wu Los Angeles County
Kevin McGillcuddy † Ruscoe-Moss
Mark Grey † / Kathryn Hubbard † Building Industry Association of Southern California
Mack Walker † Larry Walker Associates
Drew Kleis / Ruth Kolb City of San Diego
Gene Estrada City of Orange
Kelly Moran † TDC Environmental, LLC
Jeff Endicott † AEJ-CASC Engineering

EXECUTIVE PROGRAM COMMITTEE ADVISORS

Jill Bicknell * Santa Clara Valley Urban Runoff Pollution Prevention Program
Scott McGowen ‡ California Department of Transportation
Gerhardt Hubner * Ventura County Watershed Protection District

Member affiliations noted in italics
* EPC members also on the Board of Directors (minimum 2 required)
† EPC members who are affiliate members (minimum of 13 of filled successions required)
The Board of Directors, Executive Program Committee and its subcommittees will be engaged in the following topics in 2012:

**US EPA Rulemaking**

US EPA has recently delayed its rulemaking process for post-construction stormwater quality regulation. CASQA will be hosting US EPA staff at the January Meeting to discuss the draft rulemaking, and will continue to provide comments to US EPA on the rule content. The Policy and Permitting Subcommittee will be leading this effort.

**Program Effectiveness Assessment Handbook**

CASQA is moving closer to publishing Version 2.0 of the Program Effectiveness Assessment Handbook. This next generation publication will include the latest thinking on effectiveness assessment, and will advance stormwater programs by providing a logical framework to assess program effectiveness. The Effectiveness Assessment workgroup is leading this effort.

**Phase II MS4 Permit**

The Phase II MS4 Permit is expected to be adopted in the Spring of 2012. This Permit will have important implications for Phase II stormwater programs. The CASQA Phase II Subcommittee has been intimately involved in reviewing the draft Order, and will assist the BMPs Subcommittee in 2012 in preparing guidance for Phase II programs to implement the final Order.

**Industrial Permit**

The Industrial Subcommittee has provided comprehensive comments on the draft Industrial Permit, also expected to be adopted in the first half of 2012. The Subcommittee will continue to comment on the Permit through adoption, and keep the membership informed of important changes. The Industrial Subcommittee will work with the BMPs Subcommittee to revise the CASQA Industrial Handbook in time for its use for compliance with the reissued Industrial Permit.

**Construction Program**

The Construction Subcommittee will be tracking the reissuance of the US EPA construction effluent limit guidelines, as well as the recent court decision invalidating the NEL on Risk 3 construction sites. CASQA will continue to refine the QSP/QSD registration process that was moved on-line in 2011, and will be working on re-registration procedures for these professionals. CASQA is also dedicated to continuous improvement of the Construction Handbook web portal and will be reviewing new BMPs to be added to this important resource.

As always, CASQA will continue to monitor and keep you updated on important issues in stormwater. The statewide trash policy, NPDES program fees, ASBS requirements, and the NPDES permit process are a few additional areas that CASQA will be working on at the Board and subcommittee level. Finally, we are looking forward to seeing everyone at our Annual Conference in San Diego, November 4th through the 7th.