



DEPARTMENT OF PUBLIC WORKS

Quality, Excellence, Innovation

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August 9, 2016

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Board of Supervisors
County of Marin
3501 Civic Center Drive
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SUBJECT: Report on Compliance with the State of California's 2013 General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (Phase II Permit)

Dear Board Members:

RECOMMENDATIONS: Accept the report.

SUMMARY: This report provides a summary of the key accomplishments of the County's Local Stormwater Program that is engaged in implementing the State's Phase II Municipal Stormwater Permit (Phase II Permit) in partnership with the countywide Marin County Stormwater Pollution Prevention Program (MCSTOPPP). Both the Local Stormwater Program and MCSTOPPP follow a watershed-based, creek-focused approach to protecting water quality. This approach allows compliance with the prescriptive requirements of the Phase II Permit, as well as advancing the countywide goal of protecting the environment.

MCSTOPPP provides support, coordination, and permit compliance deliverables to member agencies, including the County and Marin's 11 cities and towns. The member agencies jointly fund MCSTOPPP to ensure a consistent and coordinated approach to permit compliance.

The State Water Resources Control Board (State Board) issues the Phase II Permit which regulates the discharge of stormwater into "the waters of the United States" – essentially any watercourse, body of water, or wetland. The current permit was adopted by the State Board on July 1, 2013, will expire on June 30, 2018, and replaced the 2003 iteration of the permit.

The current Phase II Permit required the implementation of more than 30 new tasks over the first three years (FY 13-14 - FY15-16) with broad regulatory and monitoring requirements affecting multiple County departments and Marin's cities and towns.

Highlights of the Local Stormwater Program's and MCSTOPPP's activities during the first three years of Phase II Permit implementation are provided in the attached summary.

Accounting

Airport

Building Maintenance

Capital Projects

Certified Unified Program Agency (CUPA)

Communications Maintenance

County Garage

Disability Access

Engineering & Survey

Flood Control & Water Resources

Land Development

Purchasing

Real Estate

Reprographic Services

Road Maintenance

Stormwater Program

Transportation & Traffic Operations

Waste Management

Upcoming Priorities

- Local Stormwater Staff are planning for new statewide trash reduction regulations that were adopted by the State Board in June 2014. Under the future trash regulations, the County must implement a 10-year program to prevent trash 5mm and greater from being discharged to waters of the United States from the County's storm drain system through the use of full trash capture devices or through other controls, such as enhanced street sweeping and on-land litter and trash abatement.
 - MCSTOPPP, its member agencies, and North Bay municipalities are working on a planning project (with seed funding from NBWA and project administration through BASMAA) that will provide technical and regulatory tools needed to prepare a required Trash Reduction Implementation Plan.
 - The planning effort will identify areas of the County where engineering-level studies will be conducted to determine where to install trash control devices and develop accurate cost estimates.
 - Cost estimates from the State Board are \$7.77-\$7.91 per resident per year:
 - This is \$5.3-\$5.4 million over 10 years for unincorporated areas which is within the range of estimates generated by our own planning.
 - Staff expects to develop more accurate cost estimates by Fall of 2017.
 - We anticipate staff impacts to Waste Management (stormwater), Road Maintenance, and Engineering Divisions.
 - Current planning efforts will position the County to pursue grant funding for trash control projects.
 - Timeline for trash reduction compliance:
 - June 30, 2018 - Submit Trash Reduction Implementation Plan to State Board.
 - July 1, 2018-June 30, 2019 – Demonstrate average 10% progress per year to reduce discharge of trash 5mm and greater from the storm drain outfalls in trash priority land use areas (commercial, industrial, high-density residential, and bus stops/stations).
- Pending results from the paved roads assessment in Lagunitas Creek watershed, the County may be required to implement projects to meet the sediment delivery reduction performance standards in the Lagunitas Creek Sediment TMDL. The scope of this project is currently unknown. Staff will return to your Board in the Spring of 2017 with an update of the project plan and cost estimate.

- Pending results from ASBS monitoring and input from the State Board, staff will identify ongoing costs to comply with the Special Protections requirements, including future monitoring requirements that apply to the Bolinas Mesa and the adjacent ocean ASBS. Staff will return to your Board in Spring of 2017 with an update to the project plan and cost estimate.

STAFFING AND OTHER PROGRAM COSTS: The FY 16-17 cost for the Waste Management Division and the County Administrator to coordinate compliance with the Phase II Permit through MCSTOPPP and our Local Stormwater Program is about \$568,000. Funding is provided entirely from the General Fund.

The following table summarizes the existing MCSTOPPP participation cost and the Local Stormwater Program budget.

Table 1: Phase II Permit Compliance Costs Does not include permit compliance costs within other County divisions and departments	FY 16-17 Existing	FY 17-18 Estimate
MCSTOPPP Contribution <i>(Part of County Administrator's Budget)</i>	\$177,189	\$180,000
Waste Mgmt. Stormwater Program Fees and Supplies		
North Bay Watershed Association -County membership	\$22,049	\$22,490
Phase II Permit Fee to State Water Resources Control Board	\$28,000	\$33,600
Duxbury Reef ASBS and Lagunitas Sediment TMDL – Consultant Services for technical, regulatory, and legal assistance	\$40,000	\$40,000
Miscellaneous expenses, supplies, training/travel/certification	\$5,150	\$5,150
Trash requirements planning cost estimate		\$70,000
Subtotal: Fees and Services	\$95,199	\$101,240
Staffing		
Waste Management Local Stormwater Program	\$295,650	\$304,520
TOTAL Permit Compliance Projected Costs	\$568,038	\$655,760

Although staff cannot predict what future actions the State and Regional Boards may take, it is unlikely that these permit requirements will be relaxed, regardless of actual water quality improvements and the accomplishments of non-mandated programs such as the County's Watersheds and Fish Passage programs. Staff levels continue to be evaluated in light of the evolving regulatory landscape and additional resources are expected to be required in future years. Options are being explored via MCSTOPPP for

additional shared services to local agencies regarding new permit requirements, including the trash requirements.

A copy of the current Phase II Permit is available at http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml.

FISCAL IMPACT: None at this time.

REVIEWED BY:	<input type="checkbox"/>	Department of Finance	<input checked="" type="checkbox"/>	N/A
	<input type="checkbox"/>	County Counsel	<input checked="" type="checkbox"/>	N/A
	<input type="checkbox"/>	Human Resources	<input checked="" type="checkbox"/>	N/A

Respectfully submitted,


Steve Devine
Public Works Program Manager

c: Raul Rojas, Director of Public Works
Pat Echols, Assistant Director of Public Works
Terri Fashing, Stormwater Program Administrator

Attachment:
Local Stormwater Program Highlights

