



# SECTION 1

## INTRODUCTION

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## BACKGROUND

### Program Description

The Santa Clara Valley Urban Runoff Pollution Prevention Program (“Program”) is an association of thirteen cities and towns in Santa Clara Valley, the County of Santa Clara, and the Santa Clara Valley Water District (“Co-permittees”) that share a common permit to discharge stormwater to South San Francisco Bay. The Program incorporates regulatory, monitoring and outreach measures aimed at reducing pollution in urban runoff to the “maximum extent practicable” to improve the water quality of South San Francisco Bay and the streams of Santa Clara Valley. The Program is organized, coordinated, and implemented in accordance with a Memorandum of Agreement (MOA) signed by the Co-permittees in 1990, 1999 and 2005. The MOA covers the responsibilities of each Co-permittee and a cost-sharing formula for joint expenditures.

In June 1990, the San Francisco Bay Regional Water Quality Control Board (Water Board or RWQCB) issued the Program its first NPDES permit.<sup>1</sup> The permit was reissued in 1995<sup>2</sup> and 2001.<sup>3</sup> On October 17, 2001, the Water Board amended the permit<sup>4</sup> to include expanded requirements for controlling pollutants from new and redevelopment activities (Provision C.3.). On July 20, 2005, the Water Board approved a second amendment which revised Provisions C.3.c. and C.3.f.<sup>5</sup>

The Program’s Management Committee, consisting of one designated representative from each Co-permittee, is the official decision-making body for the Program. At the inception of the Program, the Santa Clara Valley Water District took the lead responsibility for management of the Program. In September 1997, the Management Committee retained EOA, Inc. to provide Program management services. On July 1, 2005, the City of Sunnyvale became the Program’s new fiscal agent.

### The Program’s Urban Runoff Management Plan

The Program and Co-permittees submitted a *Storm Water Management Plan* (SWMP) as part of the application for its 1995 NPDES permit renewal. The 1995 Permit required the Program to develop performance standards<sup>6</sup> for various stormwater control measures and incorporate them in a revised management plan by September 1, 1997. The revised plan, called the *Urban Runoff Management Plan* (URMP) because of its focus on stormwater pollution prevention efforts in urban areas, was completed and submitted to the Water Board on September 1, 1997 and subsequently approved by Water Board staff (7/10/98 and 12/14/98 letters). In addition, the URMP is incorporated into the urban runoff permit. In 2000 and 2005, updated URMPs were submitted to the Water Board as part of permit renewal applications.

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<sup>1</sup> NPDES Permit No. CAS029718, Order No. 90-094.

<sup>2</sup> NPDES Permit No. CAS029718, Order No. 95-180 (as amended 7/21/99).

<sup>3</sup> NPDES Permit No. CAS029718, Order No. 01-024 (2/21/01).

<sup>4</sup> NPDES Permit No. CAS029718, Order No. 01-119, Amendment Revising Provision C.3. (10/17/01).

<sup>5</sup> NPDES Permit No. CAS029718, Order No. R2-2005-0035, Amendment Revising Order 01-119 (7/20/05).

<sup>6</sup> Performance standards are defined as “the level of implementation necessary to demonstrate control of pollutants in stormwater to the maximum extent practicable.”

The URMP consists of an area-wide plan and individual Co-permittee plans describing what the fifteen Co-permittees will do, collectively and individually, to reduce urban runoff pollution. The URMP describes the goals and objectives of the Program and its various elements, including monitoring and watershed management measures.

The URMP also contains model performance standards that may be modified as appropriate to fit local conditions and are implemented by the Co-permittees. These include:

- Illicit Connection and Illegal Dumping (IC/ID) Elimination Activities
- Industrial/Commercial Discharger (IND) Control Program
- Public Streets, Roads, and Highways Operation and Maintenance
- Storm Drain System Operation and Maintenance
- Water Utility Operation and Maintenance
- Planning Procedures for New Development and Redevelopment
- Construction Inspection
- Pest Management
- Rural Public Works Maintenance and Support

In addition, the URMP presents a framework for the relationship between Program area-wide and Co-permittee specific Public Information/Participation (PI/P) activities that the Program and Co-permittees use to develop and conduct PI/P tasks.

In early FY 04-05, Program staff updated the URMP to include the new and revised model performance standards and other Management Committee-approved multi-year plans (e.g., Guidelines for Reduction and Management of Mercury-Containing Products, revised Multi-Year Receiving Waters Monitoring Plan, Pesticide Management Work Plan, sediment assessment Work Plan, CAP/NAP approach, Trash Work Plan and goals statement, Watershed Education and Outreach strategy, etc.). The revised Program URMP was part of the NPDES permit reapplication package submitted to the Water Board on February 24, 2005.

The Program implements watershed management through its participation in the Santa Clara Basin Watershed Management Initiative (SCBWMI). The SCBWMI was established (by the EPA, State Water Resources Control Board and Water Board) to manage water resources within the Santa Clara Basin watersheds. Stakeholders that include local, state and federal government agencies; business, agriculture and industry associations; and environmental and civic groups guide the SCBWMI. The Program has been an active participant in the SCBWMI Core Group and its subgroups. The Program is working through the SCBWMI to: 1) identify and assess beneficial uses in the watershed within the urban area; and 2) identify and prioritize reasonable urban runoff control strategies.

### **Co-permittee Urban Runoff Management Plans**

Each Co-permittee has developed an URMP tailored to its local characteristics. The Co-permittee URMPs contain strategies for local urban runoff controls, covering each of the Program elements (Industrial/Commercial Discharger Control, New Development and Construction, etc.) that are applicable to local conditions. The Co-permittee URMPs include:

- Performance standards (using the Program URMP's model performance standards as a template);

- Work Plans to implement performance standards;
- Description of the Co-permittee's legal authority;
- Best management practices (BMPs); and
- Standard operating procedures (SOPs) that detail how control measures will be carried out from day-to-day.

The Co-permittees also have responsibilities to conduct local PI/P programs, properly maintain corporation yards, conduct staff training and participate in Program and SCBWMI activities as appropriate.

The general relationship between the NPDES Permit, the Program's URMP and the Co-permittees' URMPs is shown on Figure 1-1.

In accordance with Permit Provision C.2.b., all Co-permittees updated their URMPs and submitted the revisions to the Water Board on September 1, 2004. The updated Co-permittee URMPs, which were part of the NPDES permit reapplication package submitted to the Water Board on February 24, 2005, included a summary table indicating what changes were made and/or what sections were added to the URMP's since the last version was updated in October 2000.

### **Program Work Plan**

By March 1 of each year, the Program submits to the Water Board a draft Work Plan for implementation of the Program's URMP for the coming fiscal year, in accordance with NPDES Permit Provision C.6.b. The Work Plan includes clearly defined tasks, responsibilities and schedules to be implemented by the Program and Co-permittees. It also includes development of new, or modification of existing performance standards (Provision C.2.b), provides the Work Plan for implementing Provision C.3, describes planned monitoring activities (Provision C.7), describes pollutant-specific requirements (Provision C.9) and defines the Program's role relative to Watershed Management efforts (Provision C.10).

The Work Plan builds on the baseline efforts conducted by the Program and Co-permittees through a "continuous improvement" process, in which the Program seeks new opportunities to control stormwater pollution. The continuous improvement process contained in the URMP is illustrated on Figure 1-2. The Work Plan includes a discussion of continuous improvement tasks that were identified, in part, during individual Co-permittee performance reviews, effectiveness evaluations in previous annual reports, and cooperative efforts between the Program and groups that include the Bay Area Stormwater Management Agencies Association (BASMAA), SCBWMI, Regional Monitoring Program (RMP) and Clean Estuary Partnership (CEP).

On March 1, 2005, the Program's *FY 05-06 Work Plan* was submitted to the Water Board.

### **Program Annual Report**

In accordance with NPDES Permit Provision C.6.a., the Program must submit an Annual Report by September 15 of each year. In addition, the Annual Report serves as an important internal Program tool in the cycle of planning, implementation, evaluation and continuous improvement. The Annual Report is the mechanism for documenting the status of planned activities, evaluating the effectiveness of those activities and identifying potential improvements. An

additional evaluation mechanism is holding local program performance review meetings with each of the Co-permittees. These meetings serve as external evaluations, while the Annual Report is a self-evaluation by the Program. The results of the Annual Report and the performance reviews are used to assist the Program and Co-permittees in revising their Work Plans for the following year, as part of the Program's continuous improvement process.

During FY 04-05, Water Board staff did not conduct performance review meetings. In late April 2005, Water Board staff and its consultant Tetra Tech, Inc. provided an independent evaluation of certain elements of the Cities of Milpitas, Palo Alto, Santa Clara and Santa Clara County stormwater programs. The following elements were included within the evaluation: ICID/IND inspections and enforcement, municipal maintenance, new development/redevelopment and construction inspection. The evaluation provided helpful input to the Co-permittees on implementation of their URMPs.

On September 15, 2004, the Program's *FY 03-04 Annual Report* was submitted to the Water Board. In April 2005, the Program received separate Water Board comment letters on the Monitoring and New Development/Redevelopment sections. A response to Water Board staff comments on the *FY 03-04 Annual Report- Monitoring Section* (Water Board letter dated March 4, 2005; Program received this letter on April 7, 2005) was submitted to the Water Board on May 20, 2005. This submittal is provided within Appendix A-6. A response to Water Board staff comments on the *FY 03-04 Annual Report- New and Redevelopment Section* (Water Board later dated April 8, 2005) was submitted to the Water Board on June 3, 2005. This submittal is also provided within Appendix A-6.

The goals of this *FY 04-05 Annual Report* are to: 1) meet specific permit requirements for reporting; 2) provide an efficient mechanism for reporting and self-evaluation without duplicating information in the work plan or urban runoff management plans (URMPs); and 3) identify areas for continuous improvement.

## ORGANIZATION OF REPORT

The *FY 04-05 Annual Report* consists of two volumes and one appendix placed in three-ring binders. Volume I will contain Program's activities and Volume II will consist of Co-permittees' activities. Each section contains relevant tables at the end of the section.

Following Section 1, Volume I of the *FY 04-05 Annual Report* describes the implementation of *FY 04-05 Work Plan* activities in the following sections:

FY 04-05 Annual Report	FY 04-05 Work Plan
Section 2 – Program Management*	Program FY 04-05 Budget Performance Standard Revisions Program Continuous Improvement Tasks
Section 3 – Public Information/Participation (PI/P) Activities	FY 04-05 PI/P Work Plan
Section 4 – Monitoring	Multi-Year Year Receiving Waters Monitoring Plan FY 04-05 Annual Monitoring Plan

Section 5 – Watershed Management Measures	FY 04-05 Monitoring Plan (activities undertaken with/for the SCBWMI)
Section 6 – Pesticide Management	FY 04-05 Pesticide Management Work Plan
Section 7 – Mercury Pollution Prevention Activities	FY 04-05 Mercury Pollution Prevention Work Plan
Section 8 – New and Redevelopment Control Measures	FY 04-05 C.3. Work Plan

\* Note that the “Work Plan” for many of the Program management activities is the scope of work in EOA’s contract for Program management services.

Section 9 contains the Co-permittees’ IND and IC/ID Summary Tables for FY 04-05. Each Co-permittee summary table provides information on the required categories as described in the Industrial/Commercial Discharger Control Program and Illicit Connection & Illegal Dumping Elimination Activities Performance Standards. Co-permittee summary tables are also included in each Co-permittee Annual Report and will contain similar information to what is found within Section 9 of the Program’s *FY 04-05 Annual Report*. Each Co-permittee includes a breakdown of the levels of enforcement action taken for each IND inspection.

Section 10 contains the Co-permittees’ FY 04-05 Annual Reports. Each Co-permittee report includes a cover letter summarizing local program highlights, accomplishments and continuous improvement items; and a certification statement. Co-permittees have prepared and submitted the following information (with appropriate attachments) in accordance with the Water Board’s document entitled *Suggested SCVURPPP Co-permittee Annual Report Format (Draft)* dated May 29, 2003:

- IC/ID Elimination Activities
- Industrial/Commercial Discharger Control Program
- Public Agency Activities
  - Public Streets, Roads and Highways O&M (including Corporation Yards)
  - Rural Public Works O&M
  - Storm Drain O&M
  - Water Utility O&M
  - Other Public Agency Activities (Golf Courses, Parks, Ponds, etc.)
- New Development Planning Procedures
- Construction Inspection
- Public Information and Participation
- Pesticide Management Activities
- Mercury Pollution Prevention Activities
- Copper Action Plan/Nickel Action Plan
- Trash Inventory and Management
- Water Quality Monitoring
- Staff Training Summary Table

Other elements that do not fall under the above categories (e.g., PCB Control Program (C.9.e.), Control Program for Sediment (C.9.f.) and Watershed Management (C.10.)) are provided by each respective Co-permittee conducting the activity.

# Figure 1-1. Program Implementation

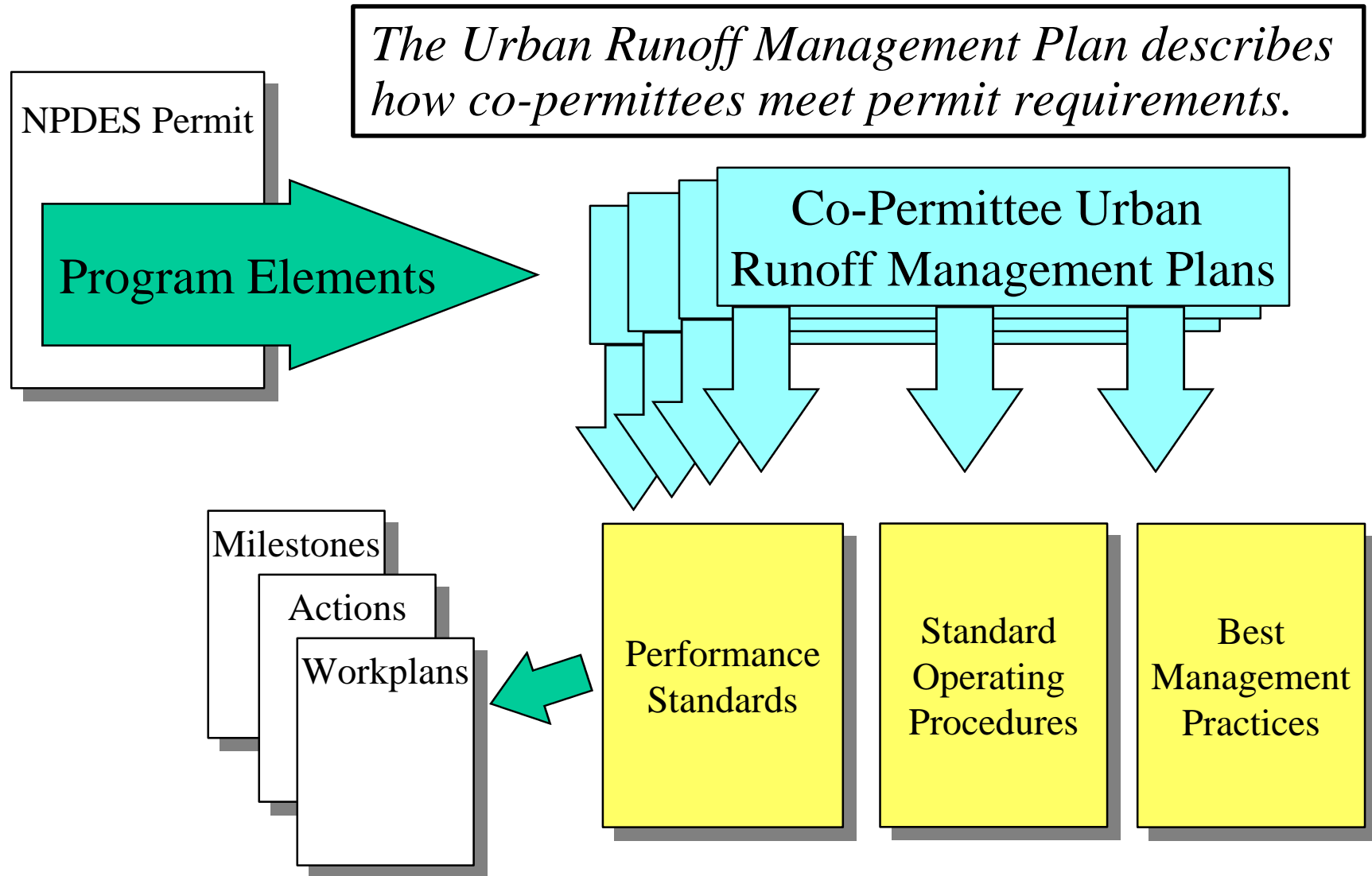


Figure 1-2  
Continuous Improvement

