

# Municipal Regional Stormwater National Pollution Discharge Elimination System Permit Stormwater Management Annual Report 2023-2024

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San José City Council  
September 17, 2024



*Environmental Services*



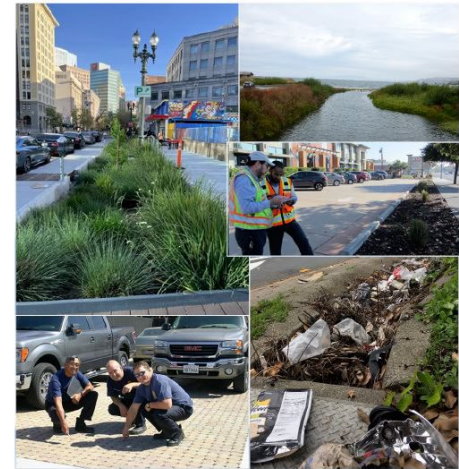
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# Municipal Regional Stormwater Permit

- Overview of Fiscal Year 2023-2024 accomplishments and next steps

California Regional Water Quality Control Board  
San Francisco Bay Region  
Municipal Regional Stormwater NPDES Permit

Order No. R2-2022-0018  
NPDES Permit No. CAS612008  
May 11, 2022



# The Clean Water Act

- The Federal Water Pollution Control Act of 1948 was the first major U.S. law to address water pollution. Growing public awareness and concern for controlling water pollution led to sweeping amendments in 1972. As amended in 1972, the law became commonly known as the Clean Water Act.
- **Prohibits the discharge of any pollutant** into the waters of the United States



# Municipal Regional Stormwater Permit Provisions – Effective July 1, 2022

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Permit Provision		City Departments (with support from Office of Economic Development and Cultural Affairs, Finance, and City Manager's Budget Office)							
		ESD	DOT	Housing	PBCE	PRNS	PW	Airport	Fire
C.2	Municipal Operations	✓	✓				✓		
C.3	New Development and Redevelopment (GSI)	✓	✓		✓		✓	✓	
C.4	Industrial and Commercial Site Controls	✓							
C.5	Illicit Discharge and Detection Elimination	✓	✓			✓	✓		✓
C.6	Construction Site Control	✓					✓		
C.7	Public Information and Outreach	✓				✓			
C.8	Water Quality Monitoring	✓							
C.9	Pesticides Toxicity Control	✓	✓			✓	✓	✓	
C.10	Trash Load Reduction	✓	✓	✓	✓	✓	✓		
C.11, C.12	Mercury and PCBs Controls	✓	✓		✓		✓		
C.13	Copper Controls	✓							
C.15	Exempted & Conditionally Exempted Discharges	✓	✓		✓				✓
C.17	Discharges Associated with Unsheltered Populations	✓	✓	✓		✓			
C.20	Cost Reporting	✓	✓	✓	✓	✓	✓	✓	✓
C.21	Asset Management	✓	✓	✓		✓	✓	✓	✓
C.22	Annual Reports	✓	✓	✓	✓	✓	✓	✓	✓

## C.3 New and Redevelopment - Green Stormwater Infrastructure (GSI)

**Goal: Build GSI to treat and to prevent surface runoff**

### **Accomplishments To Date:**

- Title 20, Council Policies updated to reflect new Stormwater Permit requirements
- Successfully advocated for C.3 Amendment to encourage more affordable housing projects:
  - Temporary Emergency Housing Projects exempt from GSI
  - Updated Affordable Housing formula for treatment credit
- Exceeded minimum inspection requirements of City's GSI inventory (146 projects out of the 615 projects)

### **Next Steps:**

- Track and assess increasing number of required GSI projects
- Complete Riverview Regional Stormwater Capture GSI project by fall 2024
- Evaluate funding options for ongoing GSI maintenance



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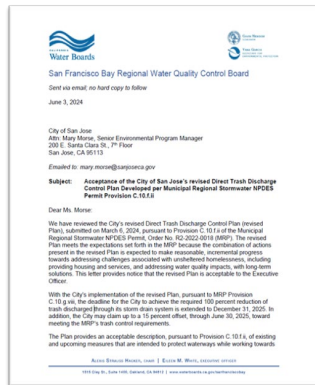


# C.10 Trash Load Reduction and C.17 Discharges from Unsheltered Population – FY 23/24 (past)

**Goal: Prohibit trash to enter storm sewer system and waterways**

**Accomplishments to date:**

- Water Board approved the Direct Discharge Plan on June 3, 2024!
- Implemented Private Lands Enforcement Program
  - Assessed approx. 2,400 parcels
  - Confirmed approx. 1,300 meet PLDA program requirements)
- Installed 2 large trash capture devices near Eastridge Mall/Quimby Road
- Advertised bid for 540 inlet-based (small) full trash capture devices



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# C.10 Trash Load Reduction and C.17 Discharges from Unsheltered Populations - Future

## Next Steps:

- Complete installation of 3 large trash capture devices (Hartog Dr. and Blossom Hill Rd.)
- Re-bid, award, and construct 540 inlet-based (small) trash capture devices
- Complete initial Private Lands inspections for 219 (17% of 1300 parcels) mod/high/very high trash generating properties
  - Note – If enforced, trash will need to be cleared within 10 business days or must install full trash capture
- Implement Direct Discharge Plan
- Need to achieve 100% trash load reduction without offsets by December 31, 2025 (Water Board granted six-month extension due to approved Direct Discharge Plan)



# To Date: San José Direct Discharge Trash Control Program

- ❑ Launched one team approach to focus on enhanced neighborhoods and waterways
- ❑ Waterway Count and Survey – Signed contract with Simtech to conduct survey in waterways
- ❑ Begin discussion with Valley Water for in channel trash removal work in waterways
- ❑ Meet with Water Board Staff every 6 months starting December 2024 until December 2025





# C.12 Polychlorinated Biphenyls (PCBs)

**Goal: Reduce PCBs entering waterways to reduce health risks for consumers of Bay fish**

**Accomplishments To Date:**

## Old Industrial

- 6 Source (high level) Properties identified and referred to the Water Board for abatement
- 22 parcel in Moderate (medium level) area inspected

## Building Demolition Permit Process

- 2 applicable structures identified

## **Next Steps:**

- Awaiting Water Board final approval of the revised Regional Control Measure Plan
- Identify next steps for 2 Source (high level) Properties
- SCVURPPP and City will continue to identify, monitor, investigate, and enforce additional Source and Moderate parcels
- Implement enhanced O&M in public ROW for Moderate Old Industrial Areas



## C.15.b.iii. Emergency Discharges of Firefighting Water and Foam

**Goal: Prevent, mitigate, and monitor discharges resulting from emergency firefighting activities**

**Accomplishments To Date:**

- Fire and ESD participated in Biannual Regional Working Group Meetings with Water Board staff
- Reviewed and updated existing Fire's Emergency Firefighting Runoff Management policies

**Next Steps:**

- Submit Regional Firefighting Discharges Report to the Water Board by September 30, 2025
- Evaluate adequacy of practices and procedures of large industrial sites to address emergency firefighting flows to storm drains and waterways







*Courtesy Photo from Keep Coyote Creek Beautiful*

Recommendation: Approve a resolution authorizing certification and submittal of the FY 2023-2024 Stormwater Management Annual Report to the San Francisco Bay Regional Water Quality Control Board by September 30, 2024, in conformance with the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit requirements, pursuant to the Federal Clean Water Act

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