

2. FY 09-10 NEW AND REDEVELOPMENT (C.3.) WORK PLAN

INTRODUCTION

This section describes the Program's planned tasks during FY 09-10 to continue to assist Co-permittees to control the impacts of development on stormwater quality and flow through the development project planning, review and approval process. The planned tasks include Program efforts that are likely to be needed to assist the Co-permittees with compliance with the C.3. Provisions of the Municipal Regional Permit.

BACKGROUND

On October 17, 2001, the Water Board adopted Order 01-119 which amended the Program's Permit Provision C.3. (New and Redevelopment Requirements) to contain significant new requirements. These requirements include:

- Numeric design standards for sizing stormwater treatment controls;
- Limits on increases in peak stormwater discharges from new or redevelopment sites that may increase erosion in creeks;
- Requirements for operation and maintenance of stormwater controls;
- Requirements for site design and source control measures;
- Definition of a minimum project size, based on amount of impervious surface created, for which the design standards, control measures, peak flow limitations, and maintenance requirements apply;
- Requirements for changes to General Plans and environmental review processes to provide authority to implement the requirements;
- Reporting requirements; and
- Schedule for implementation.

Since adoption of Order 01-119, there have been several changes to the requirements of Provision C.3., including:

- Extension by the Water Board Executive Officer of three of the permit deadlines, in order to be consistent with other Bay Area stormwater permits adopted subsequent to SCVURPPP Order 01-119;
- Approval by the Water Board of an Alternative Group 2 Project Definition that would make the Program's Provision C.3. project size requirements consistent with the other Bay Area stormwater permit requirements (i.e., minimum project size of 10,000 square feet of impervious surface);
- Adoption of Order R2-2005-0035 on July 20, 2005, which contains revisions to Order 01-119 that recognize two types of Group 2 projects and extends the implementation dates for both. Group 2A includes projects that are more likely to contribute pollutants to stormwater (e.g., gas stations, auto wrecking yards, loading docks) and parking lots with 10,000 square feet or more of impervious surface. Group 2B includes all other Group 2 projects.

- Also as part of adoption of Order R2-2005-0035, incorporation of key provisions of the Program's Hydromodification Management Plan Report (April 2005) into the SCVURPPP permit.

The Municipal Regional Permit (MRP) will contain requirements for all six Phase 1 municipal stormwater (MS4s) programs in the San Francisco Bay Area. The draft MRP was released on December 4, 2007. It is anticipated that the revised draft MRP Tentative Order will be released in February 2009. Provision C.3. in the Tentative Order contains similar requirements for new and redevelopment projects with some enhancements that will likely need to be addressed in FY 09-10. Tasks to address these enhancements began in FY 08-09 and are the basis for this work plan section.

PAST AND CURRENT ACTIVITIES TO IMPLEMENT C.3.

The Program and Co-permittees submitted work plans for implementing all C.3. requirements to the Water Board on March 1, 2002 (as part of the Program's *FY 02-03 Work Plan*, Volume II). These included the Program's "Guidance for Work Plan Tasks Related to Implementation of Permit Provision C.3." which identifies proposed actions to meet the requirements of Provision C.3. and whether the actions will be implemented at the Program level, Co-permittee level or both. Most of the tasks in the C.3 Work Plan Guidance were completed by the end of FY 04-05. With all of the preparation tasks completed, Co-permittees then focused on the implementation of C.3. requirements for Group 1 and Group 2 projects (i.e., those creating or replacing 10,000 square feet or more of impervious surface). Additional implementation-phase tasks identified by the C3 Provision Oversight (C3PO) Ad Hoc Task Group and the Management Committee and ongoing support tasks have been performed during subsequent years. The Program has also continued to hold meetings of the C.3. Provision Oversight Ad Hoc Task Group (C3PO AHTG) to keep Co-permittees updated on current issues and promote exchange of ideas on and experience with C.3. implementation.

The Program completed its Hydromodification Management Plan (HMP) in April 2005, and submitted it to the Water Board on May 4, 2005. Key provisions of the HMP were adopted by the Water Board on July 20, 2005 (as described above), and Co-permittees began implementation on October 20, 2005. Chapter 7 of the HMP Report identifies a number of action items that Program and Co-permittee staff will complete to address remaining HMP implementation issues. These action items and other related tasks have been tracked with anticipated start and completion dates in a table entitled "SCVURPPP HMP - Summary of Next Steps", which has been included in each annual report and work plan since 2006.

FY 09-10 C.3. IMPLEMENTATION TASKS

Table 2-1 presents the list of tasks that will be implemented in FY 09-10. These tasks will provide continuing assistance with current implementation tasks, as well as guidance on implementation of new or enhanced requirements in the MRP. An updated "SCVURPPP HMP – Summary of Next Steps" is presented as Table 2-2 of this Work Plan.

Tasks for implementation assistance in FY 09-10 include:

- Continue to assist Co-Permittees with implementation of C.3 on projects, and with implementation of BMP O&M verification programs;
- Continue to assist with the C.3. Provision Oversight (C3PO) AHTG and work group meetings and action items;
- Continue to provide guidance and assistance with annual reporting of C.3. information;
- Continue regional roundtable meetings with Co-permittee staff and other stormwater programs to share information about implementation strategies and experience (facilitate through BASMAA New Development Committee);
- Meet with Regional Water Board staff, Program legal counsel, Program AHTG and/or environmental groups as needed;
- Research and develop recommendations for setting up an incentive program for retrofits of existing development, targeted to home owners, for stormwater quality protection as well as water conservation benefits. Evaluate educational aspects and grant funding opportunities;
- Work with BASMAA and/or other stormwater programs to develop standard specifications for lot-scale treatment BMPs for single family homes, guidance on proper design/construction of pervious paving systems, and other C.3. regional guidance as needed;
- Continue to update and manage Program database for BMP O&M verification inspection reporting and effectiveness analysis;
- Update lists of qualified consultants for third party review of C.3. calculations and designs;
- Continue to assist Co-permittees with impervious surface data analysis, as needed, to revise the HMP applicability map, prepare submittal to Water Board on map changes, and create Co-permittee specific HM applicability maps.
- Make improvements to the Bay Area Hydrology Model to further integrate low impact development techniques and provide options for implementation of HMP requirements at smaller development sites.
- Conduct annual workshop on C.3. implementation and one separate workshop on HMP implementation.
- Work with the HMP Instream Measures Work Group to select and develop a pilot regional project for hydromodification management, including project siting, funding strategy, and how to assign regulatory credits;
- Conduct programmatic monitoring tasks identified in Section 7.8 of the HMP Report (tracking projects, documenting BMP design and inspection, and self-evaluation).

**Table 2-1
Schedule and Deliverables for FY 09-10 New and Redevelopment (C.3) Tasks**

Task	Schedule	Deliverables
C.3. Implementation Assistance		
<ul style="list-style-type: none"> • Continue to assist Co-Permittees with implementation of C.3 on projects, and with implementation of BMP O&M verification programs. • Continue to assist with the C.3. Provision Oversight (C3PO) AHTG and work group meetings and action items. • Meet with Regional Water Board staff, Program legal counsel, Program AHTG and/or environmental groups as needed on C.3. issues. • Research and develop recommendations for setting up an incentive program for retrofits of existing development, targeted to home owners, for stormwater quality protection as well as water conservation benefits. Evaluate educational aspects and grant funding opportunities. • Update lists of qualified consultants for third party review of C.3. calculations and designs. • Conduct one workshop on a C.3-related topic (to be determined). 	<p align="center">Ongoing</p> <p align="center">FY 09-10</p> <p align="center">Ongoing, as needed</p> <p align="center">6/10</p> <p align="center">6/10</p> <p align="center">6/10</p>	<ul style="list-style-type: none"> • Meeting summaries • Meeting summaries • Meeting summaries • Technical Memorandum on Retrofit Incentive Program • Updated Qualified Consultants List • Workshop
modification Management Plan (HMP) Implementation Assistance		
<ul style="list-style-type: none"> • Continue to assist Co-permittees with impervious surface data analysis, as needed, to revise the HMP applicability map, prepare submittal to Water Board on map changes, and create Co-permittee specific applicability maps. • Conduct one workshop on HMP implementation and hydromodification control measures. • Make improvements to the Bay Area Hydrology Model to further integrate low impact development techniques and provide options for implementation of HMP requirements at smaller development sites. 	<p align="center">6/10</p> <p align="center">6/10</p> <p align="center">6/10</p>	<ul style="list-style-type: none"> • Impervious surface data analyses and HMP map revisions • Co-permittee specific applicability maps • Workshop • Guidance on BAHM improvements and how to apply the model for small sites

Table 2-1, continued
Schedule and Deliverables for FY 08-09 New and Redevelopment (C.3) Tasks

Task	Schedule	Deliverables
<ul style="list-style-type: none"> Continue to assist with the HMP Implementation Phase (HIP) Work Group meetings and action items Work with the HMP Instream Measures Work Group to select and develop a pilot regional project for hydromodification management, including project siting, funding strategy, and how to assign regulatory credits. 	<p align="center">Ongoing</p> <p align="center">6/10</p>	<ul style="list-style-type: none"> Meeting summaries Report on pilot regional project
<ul style="list-style-type: none"> Continue to assist Co-permittees with implementation of HMP requirements for applicable projects. Conduct programmatic monitoring tasks identified in Section 7.8 of the HMP Report (tracking projects, documenting BMP design and inspection, self-evaluation) 	<p align="center">FY 09-10</p> <p align="center">FY 09-10</p>	<ul style="list-style-type: none"> Assistance with questions about implementation Monitoring results provided in FY 08-09 Annual Report
Regional Coordination		
<ul style="list-style-type: none"> Continue regional roundtable meetings with Co-permittee staff and other stormwater programs to share information about implementation strategies and experience (facilitate through BASMAA New Development Committee). 	<p align="center">Ongoing</p>	<ul style="list-style-type: none"> Meeting summaries
<ul style="list-style-type: none"> Work with BASMAA and/or other stormwater programs to develop standard specifications for lot-scale treatment BMPs for single family homes, guidance on proper design/construction of pervious paving systems, and other C.3. regional guidance as needed. 	<p align="center">6/10</p>	<ul style="list-style-type: none"> Standard specs for treatment BMPs for single family homes; Guidance on pervious paving
C.3. Reporting Requirements		
<ul style="list-style-type: none"> Continue to provide guidance and assistance with annual reporting of C.3. information. Continue to update and manage Program database for BMP O&M verification inspection reporting and effectiveness analysis 	<p align="center">Ongoing - FY 08-09 Annual Report and future ARs</p> <p align="center">Ongoing - FY 08-09 Annual Report and future ARs</p>	<ul style="list-style-type: none"> Guidance on Annual Report preparation. Guidance on Annual Report preparation

Table 2-2
SCVURPPP HMP - Summary of Next Steps (Updated 3/1/09)

Task ¹	Anticipated Completion Date ²	Status
1. Develop the following: <ul style="list-style-type: none"> a. a funding mechanism³ such that projects can utilize in-stream control options b. a methodology for determining developer contributions based on the stream changes expected to result from changes in project runoff conditions. 	6/10 6/10	In Progress - The HMP Instream Projects Work Group, consisting of Water District, City of San Jose and Program staff, will continue to meet in FY 09-10. The Work Group will focus on development of a pilot regional project for hydromodification management, including project siting, funding strategy, and how to assign regulatory credits
2. Work with City/County planning and public works departments and the Water District to determine the timing and method of notifying District staff during the development review process about HMP projects that may need in-stream controls, in a manner that does not unreasonably prolong the review process. Further, look at ways to improve method to provide early communication on Group 1 project reporting.	6/10	In Progress – This task was delayed pending decisions by the HMP Instream Projects Work Group. Some Co-permittees already have a process for involving Water District staff in development project review. Program staff will document current practices and develop guidance for other Co-permittees, in consultation with Water District staff.
3. Facilitate review of District’s MDL analysis, both by the Co-permittees and the Expert Panel, and work with the Management Committee to determine the need to integrate some or all of the MDL analyses into implementation of the HMP.	N.A.	Eliminated – This task is no longer needed to implement the HMP. A revised HMP applicability map was developed by the Program based on other criteria, negotiated with Water Board staff, and will likely be adopted. The Management Committee voted to remove this action item from the list at its December 20, 2007 meeting.
4. Conduct additional studies of implementation of site design, integrated management practices, and/or basins at example development sites in Santa Clara Valley.	6/09	In Progress – In FY 06-07, the Program contracted with GeoSyntec Consultants to do a comparison of flow basin sizing using the HEC-HMS and HSPF models. The results will provide guidance on model use and sizing procedures and to assist development of the BAHM. The draft comparison report was completed and is under going review by Program staff.

¹ Tasks are from Chapter 7 of April 2005 HMP Report. *Tasks in italics have been added.*

² All dates depend on availability of resources and cooperation/collaboration of numerous staff from different agencies and may change because of circumstances beyond the control of the Program. The Program periodically updates the Management Committee regarding schedule changes and will transmit updates schedules to Water Board staff.

³ The intent is to describe a mechanism agreeable to Co-permittees and next steps for implementation.

**Table 2-2
SCVURPPP HMP - Summary of Next Steps (continued)**

Task¹	Anticipated Completion Date²	Status
		In addition, the Program also contracted with GeoSyntec to develop a methodology for estimating costs for the purpose of determining impracticability of hydromodification management measures (i.e. the 2% cost cap). This work is underway and a draft report will be completed by March 2009.
<i>Bay Area Hydrology Model (BAHM) Development Project – Regional Model, Local Calibration, Training</i>	Completed 7/07; Ongoing	<p>Completed/Ongoing –The BAHM was completed in July 2007. The Program participated with the Alameda and San Mateo countywide stormwater programs in the development of the regional component of the BAHM, and also contracted with the software developer, Clear Creek Solutions, to calibrate the model to two watersheds in Santa Clara Valley. Local calibration was completed in May 2007. A series of trainings were conducted in July and November, 2007.</p> <p>The BAHM includes the ability to model common site design and treatment control measures and quantify the reduction in flow duration due to these measures. A BAHM Project Book that provides design examples was completed and distributed to Co-permittees in August 2008.</p>
5. During implementation of the HMP, obtain feedback/suggestions for further refinement and implementation guidance	As needed/ Ongoing	<p>Completed/Ongoing – The HMP Implementation Work Group has been meeting on a regular basis, and has been an effective forum to share experience with HMP implementation and obtain suggestions for additional HMP guidance. Members of the development community have also attended these meetings. Program staff have reviewed several conceptual design submittals to meet HMP requirements for projects in San Jose and discussed these with the work group. Additional guidance will be prepared on HMP implementation following adoption of new requirements in the MRP (expected mid-2009).</p>

**Table 2-2
SCVURPPP HMP - Summary of Next Steps (continued)**

Task¹	Anticipated Completion Date²	Status
6. Coordinate with other Bay Area stormwater programs to work toward a consistent approach for the Bay Area (via participation in development of the Municipal Regional Permit (MRP)).	12/07	Completed –The MRP Tentative Order (December 4, 2007) contains consistent HMP requirements for all Permittees except those in Contra Costa County. These are not likely to change for the final MRP.
7. Coordinate additional Co-permittee, Bay Area stormwater program, and Water Board staff review process and progress meetings, including: a. The development of a schedule for Bay Area-wide HMP implementation in the upcoming Municipal Regional Permit. b. <i>Public outreach – HMP updates, workshop</i> c. <i>HMP Work Group Meetings</i>	6/07 Ongoing Ongoing	Completed – Hydromodification management (HM) requirements for the San Mateo, Alameda and Fairfield-Suisun stormwater programs were adopted by the Water Board on March 14, 2007. Implementation began in June 2007. The Contra Costa program began implementation in October 2006. Under the MRP, these programs will continue implementation of their current requirements. SCVURPPP began implementation in October 2005. However, the MRP contains new requirements for SCVURPPP that will take effect upon MRP adoption. Completed/Ongoing – Program staff have conducted two “HMP 101” workshops for Co-permittee staff covering basic principles of hydromodification management. Additional workshops and meetings of the HMP Implementation Phase Work Group will be conducted as needed.
8. Collect data on the implementation of the HMP at small sites for a period of two years after the start of implementation, and plan to re-evaluate the small site size threshold and approach at that time. Conduct and document the reevaluation.	N.A.	Eliminated -- To date there have been no small sites required to implement HMP requirements. The MRP will likely reduce the threshold for projects subject to HMP requirements to one acre of impervious surface. As a result, this task is no longer needed.
9. Make additional refinements per: 1) lessons learned from implementation efforts based on the draft HMP; 2) the need for consistency with HMPs being developed by other Bay Area stormwater programs; and 3) development community, Co-permittee, and Water Board feedback.	Report in ARs beginning with FY 05-06 AR	In Progress – See Task 5. Additional refinements to the HMP will be made pending adoption of the MRP, and continuing input from Co-permittee staff and developers.