



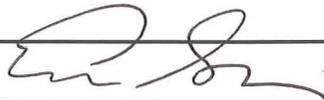
Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: John Stufflebean

SUBJECT: STORMWATER PERMIT
ANNUAL REPORT 2009-2010

DATE: 08-09-10

Approved  Date 8/19/10

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Authorize submittal of the 2009-2010 Stormwater Permit Annual Report and certification to the San Francisco Bay Regional Water Quality Control Board in conformance with the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit requirements, pursuant to the Federal Clean Water Act.

OUTCOME

Approval of this recommendation will result in submittal of the FY 2009-2010 Annual Report to the Regional Water Quality Control Board (Water Board), as required by permit.

BACKGROUND

Water enters the City's storm sewer system through approximately 29,000 storm drain inlets. Stormwater flows are conveyed without treatment to local creeks and streams and ultimately to San Francisco Bay. This water is comprised of rainfall, irrigation water, and other water used outdoors. It collects pollutants as it flows across rooftops, sidewalks, driveways, streets, and landscaping.

The Federal Clean Water Act requires the City to operate under a National Pollutant Discharge Elimination System (NPDES) municipal stormwater permit for the discharge of stormwater to surface waters via the City's storm sewer collection system. On October 14, 2009, the San Francisco Water Board adopted the Municipal Regional Stormwater NPDES Permit (Stormwater Permit) for the San Francisco Bay Region.

The Stormwater Permit became effective December 1, 2009, and remains in effect through November 30, 2014. It specifies actions necessary to reduce the discharge of pollutants in

stormwater to the maximum extent practicable and effectively prohibit non-stormwater discharges into the municipal storm sewer system to protect local creeks and the Bay.

The Stormwater Permit mandates that the City submit an Annual Report by September 15 of each year, documenting the performance of permit tasks and certifying compliance with permit requirements. This Annual Report is the first under the new Stormwater Permit, and fulfills the requirement for reporting on activities undertaken from July 1, 2009, through June 30, 2010.

ANALYSIS

Actions to prevent pollution from entering the City's storm sewer system can encompass all levels of City operations, as well as the daily activities of San José residents and businesses. Accordingly, many City departments are actively engaged and are critical to the City's efforts to prevent stormwater pollution and protect water quality including: Environmental Services; General Services; Parks, Recreation and Neighborhood Services; Public Works; Planning, Building and Code Enforcement; Transportation; the Redevelopment Agency; and the City Attorney's Office.

The new Stormwater Permit contains requirements or goals that require expanded or new program implementation for the City. Staff closely monitored the development of the permit requirements and worked to position the City for swift implementation upon permit adoption. The City Council approved budget actions over the past two years, which added staff and resources to support the stormwater program and enforcement teams' additional work load requirements; provided training opportunities for staff throughout the City; and allowed for early implementation of pilot projects for trash structural controls and inlet marking. For some operational areas, such as parks maintenance, funding limitations compelled a realignment of existing resources to implement certain best management practices at park facilities. As a result of this investment and dedication of resources, the City has been able to keep pace with the new standards for stormwater protection set forth in the Permit.

The Annual Report covers a variety of stormwater management program elements designed to reduce pollutants in stormwater discharges. Programs include industrial inspections, new development plan review, street and storm sewer maintenance, construction site inspections, monitoring, public education and outreach, trash and litter reduction, and other strategies to reduce specific pollutants.

This report is the first Annual Report under the new Stormwater Permit, and follows a standardized reporting template for all 76 agencies now regulated by this regional permit. It was developed by Bay Area Stormwater Management Agencies Association and approved by Water Board staff. This standardized reporting template is intended to provide the Water Board with more robust and consistent information about permittee compliance.

In addition to a brief overview of the activities conducted, the Annual Report cites accomplishments for each program element during the fiscal year. Among the highlights for FY 2009-2010 are:

- Integration of stormwater treatment measures into 57 new private sector projects, with over half using on-site landscaping to filter and treat runoff;
- Recycling of more than 12,900 pounds of lamps containing mercury;
- Updated Storm Water Pollution Prevention Plans for each of the City's five corporation yards;
- Continued coordinated efforts among staff from Public Works; Environmental Services Watershed Enforcement; and Planning, Building and Code Enforcement to oversee plan development and conduct inspections of construction sites in the City;
- Protocols developed for staff to implement new monitoring and inspection requirements for City operated stormwater pump stations, and for screening of the collection system for illicit discharges or illegal dumping;
- San José was recognized with an award from the California Department of Pesticide Regulations as an Integrated Pest Management Innovator;
- Continued testing of new approaches for landscape, pest, and rodent control such as the use of bat and owl boxes to encourage natural predatory control of pests. With the assistance of a volunteer birder, staff found brooding owls in five boxes;
- Identified and initiated clean-up and assessment of 32 creek trash hot spots. Continued partnered efforts with the Santa Clara Valley Water District which resulted in removal of more than 110.9 tons of debris from illegal creek-side encampments and high trash accumulation areas;
- Initiated design and engineering work to install large-area trash capture devices, and began to develop the Baseline Trash Load and Reduction Tracking Methodology;
- Incorporated water quality monitoring for discharges resulting from routine and emergency Municipal Water System maintenance activities; and
- Participated in numerous public events to educate the public on actions to protect stormwater quality and took steps to involve citizens in monitoring and creek stewardship.

See Attachment A for the Executive Summary excerpted from the Annual Report, which provides greater detail. The complete *Stormwater Permit Annual Report 2009-2010* is available on the City website at <http://www.sanjoseca.gov/clerk/agenda.asp>¹.

EVALUATION AND FOLLOW-UP

As the City continues with permit implementation, staff will provide regular reports on key implementation efforts to the Transportation and Environment Committee and City Council, including bringing forward a multi-year Stormwater Permit Implementation Plan in Fall 2010.

¹ All documents referenced as web links are also available for review in the City Clerk's Office or the Environmental Services Department. To find a report at the website, select the Council date and item number.

POLICY ALTERNATIVES

Alternative #1: Provide direction to staff to modify submittal of the 2009-2010 Stormwater Permit Annual Report to the Water Board.

Pros: None known. The report is primarily a report on past activities.

Cons: Delay in the submittal beyond September 15 would put the City at risk of being found in violation of its Stormwater Permit.

Reason for not recommending: This Annual Report submittal will fulfill a permit-mandated obligation and maintain City compliance with its stormwater NPDES Permit. This Annual Report represents the best and most complete summation of City activities related to stormwater for FY 2009-2010.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although the Annual Report does not meet any of the above criteria, outreach is an integral part of the Stormwater Management program. The City conducts outreach to various sectors of the community on relevant stormwater issues, such as pesticide use, mercury, new development requirements, and ensuring that only rainwater enters the storm sewer system. Many outreach activities are accomplished in partnership with the Santa Clara Valley Urban Runoff Pollution Prevention Program or regional campaigns.

COORDINATION

The Annual Report was developed by the Environmental Services Department in collaboration with the departments of Planning, Building and Code Enforcement; Public Works; Transportation; Parks, Recreation and Neighborhood Services; and General Services as well as the Redevelopment Agency and the City Attorney's Office. The Annual Report was reviewed by each of these departments to ensure that the data and information presented in the report is accurate and properly reflects of their operations.

HONORABLE MAYOR AND CITY COUNCIL

08-09-10

Subject: Stormwater Permit Annual Report 2009-2010

Page 5

COST SUMMARY/IMPLICATIONS

There are no direct costs associated with submittal of the Annual Report, as the report summarizes activities that have already occurred. Ongoing programs related to the stormwater permit are funded primarily through the Storm Sewer Operating Fund (Fund 446).

CEQA

Not a project, File No. PP10-069 (a), City Organizational & Administrative Activities.

/s/

JOHN STUFFLEBEAN

Director, Environmental Services

For questions please contact Melody Tovar, Deputy Director, Environmental Services, at (408) 945-3000

Attachment A

**Attachment A
FY 2009-2010 Stormwater Program Annual Report
City of San José**

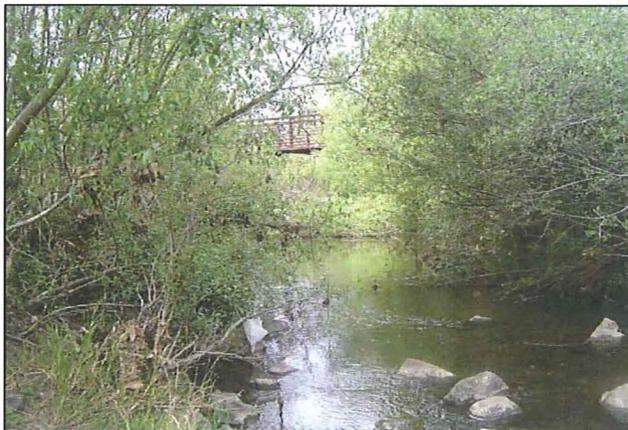
Executive Summary

The City is required to submit to the San Francisco Bay Regional Water Quality Control Board (Water Board) an Annual Report that documents compliance with the Municipal Regional Stormwater NPDES Permit. The Annual Report is prepared pursuant to provisions C.1 – C.16 of the City's National Pollutant Discharge Elimination System (NPDES) permit for stormwater discharge through the City's storm sewer system to waters of the United States.

On October 14, 2009, the Water Board adopted the Municipal Regional Stormwater NPDES Permit (Regional Permit) for the San Francisco Bay Region. It replaces the formerly separate countywide municipal stormwater permits with a Stormwater Permit for all 76 Bay Area municipalities in an effort to standardize stormwater requirements throughout the region. The new Regional Permit became effective December 1, 2009. This Report is the first Annual Report under the Regional Permit. It includes sections for each of the Permit provisions and follows the annual reporting format developed by the Bay Area Stormwater Management Agencies Association (BASMAA) and approved by the Water Board's Executive Officer. Each section is comprised of tables and narrative to demonstrate progress and accomplishments in the program element.

During this first reporting year, City's implementation efforts were largely focused on developing new protocols and processes, as well as evaluating and realigning existing programs, to conform to new requirements. As a result, the City has established a foundation for effectively controlling or preventing pollutants from entering the storm sewer system and local creeks consistent the new Regional Permit.

Most program elements contain components carried out by more than one City department. The strategy for attaining compliance utilizes several key approaches to preventing stormwater pollution and protecting water quality including:



Los Alamos Creek

- Enforcement and monitoring to prevent, detect, and respond to incidents of illegal discharge to the storm sewer system;
- Ensuring that redevelopment and new development in San José is conducted in a manner that minimizes and treats stormwater runoff from the built environment;
- Review and, if necessary, modification of business processes to implement stormwater protection best practices in municipally managed projects, operations, and services;
- Water quality monitoring, special studies, and pilot projects to improve understanding of pollutant sources and opportunities to reduce pollutant loads in stormwater; and

- Outreach and education of municipal employees, and the community at large, to reduce stormwater pollution, and provide businesses and residents with information on practices that protect stormwater quality.

Although the City also contributes to activities undertaken by the Santa Clara Valley Urban Runoff Pollution Prevention Program (Program) and the Bay Area Stormwater Management Agencies Association (BASMAA), this report includes only those activities that were performed by the City. References to collaborative work products are included as appropriate. The following report provides an overview of the past year's progress toward addressing each program element.

C.2 Municipal Operations

Provisions in the Municipal Operations section of the Stormwater Permit are intended to ensure implementation of appropriate Best Management Practices (BMPs) to control and reduce non-stormwater discharges and polluted stormwater to storm drains and watercourses during operation, inspection, and routine repair and maintenance of municipal facilities and infrastructure.

A new operational area highlighted in this provision of the Regional Permit focuses on inspecting and monitoring discharges from the City's stormwater pump stations. Working with BASMAA and Program partners, City staff have developed a stormwater pump station inspection program. The City has developed SOPs and supporting documentation for conducting dry and wet season inspections and dry season monitoring of its stormwater pump stations. Staff is also investigating the feasibility of various corrective actions for increasing dissolved oxygen concentrations should this become necessary.



Gold Street Pump Station

To ensure that appropriate BMPs to protect stormwater are employed during applicable municipal operations and maintenance activities, the City provides regular training to its staff. During training sessions, feedback is collected from staff on the implementation and effectiveness of the BMPs and control measures to ensure continuous improvement.

Training was held in March 2009 for municipal staff conducting rural public works maintenance and support activities in rural areas. The training focused on deployment of practical and effective BMPs for road maintenance to protect riparian habitat, aquatic species, and water quality. Training included field demonstrations of proper BMP use and installation for inlet protection, erosion control blankets, turf reinforcements mats, silt fences, straw wattles, straw bales, and re-vegetation. Additional BMP training was held for municipal staff in May and June 2009 covering street repair, sidewalk maintenance, and corporation yard operations.

Furthermore, the City provides technical assistance to municipal staff through the Environmental Services Department intranet which provides on-line access to reference documents such as standard operating procedures, BMPs, Corporation Yard Storm Water Pollution Prevention Plans, as well as links to the California Stormwater Quality Association Handbook for Municipal Operations and the BASMAA Blueprint for a Clean Bay and Pollution Prevention Training Program for Surface Cleaners.

To ensure stormwater compliance at priority City properties, the City's five Corporation Yards were routinely inspected to ensure Yard practices were consistent with established Storm Water Pollution Prevention Plans (SWPPPs). During FY 09-10, the SWPPPs were updated to be consistent with the new Regional Permit requirement; maps, site plans, and photographs were revised to more accurately reflect current operational activities; and BMPs were reorganized to relate to specific activities occurring at each corporation yard.

C.3 New Development and Redevelopment

San José continued to use a multifaceted approach involving training, outreach, interdepartmental coordination, and collaboration with the development industry to ensure compliance with the Regional Permit's New Development and Redevelopment (Provision C3) standards. The City's proactive and collaborative development review process ensures Regulated Projects include appropriately sized stormwater management controls by notifying developers of stormwater management requirements early in the entitlement process and then tracking projects to verify final designs meet Permit standards.

The number of private Regulated Projects has continued to drop, from sixty-two in FY 08-09 to fifty-seven in FY 09-10. Development review staff consistently prompted developers to maximize the use of landscape-based and other Low Impact Development (LID) stormwater management practices. As a result, most development projects approved during the year included LID features, with over half (54%) of all Regulated Projects using bioswales, flow-through planters, and bioretention. One-fourth (25%) of all Regulated Projects yielded a reduction in impervious surface for a net reduction of 147,917 square feet (3.40 acres) of hardscape for those projects collectively.

Consistent with San José's Smart Growth goals and policies, more than a third (32%) of all approved Regulated Projects were located in Transit-Oriented Development (TOD) areas. Sixty-four percent of all residential units occurring in Regulated Projects were located in TOD areas. The density ratio of Regulated Projects in TOD areas averaged 91 dwelling units per acre.

Training during FY 09-10 aligned with provision C.3 requirements, with staff from Environmental Services; Public Works; Transportation; and Planning, Building, and Code Enforcement attending training sessions covering a range of topics, from permeable pavement systems to bioretention design and maintenance requirements. Additionally, City staff led a number of stormwater-focused trainings and tours.

The City is in the third year of implementing its Operation and Maintenance (O&M) Verification Inspection Program. The O&M Program inspected 16 project sites during FY 09-10. Stormwater treatment systems at most project sites were found to be installed correctly and functional. Database improvements and staff training completed during FY 09-10 prepared this program to manage a larger number of inspections during the coming year.



O & M Verification Program inspection of filtration vault

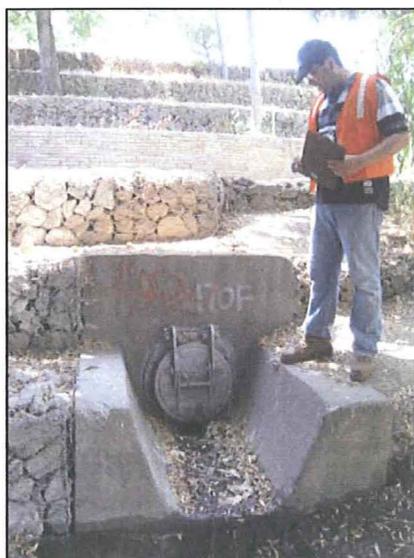
C.4 Industrial and Commercial Site Controls

The goal of the Industrial and Commercial Inspection program is to protect the storm sewer system from polluted discharges originating from commercial and industrial facilities. The City

inspected more than 6,200 facilities in FY 09-10. Thirty-five percent of those facilities were food service establishments. Inspections were prioritized based on a facility's potential to discharge polluted runoff and followed the protocols of the City's revised Watershed Enforcement Response Plan. When issues are identified at a facility, the City uses both enforcement and education to achieve timely compliance and to protect stormwater quality. More than 8,100 inspections were conducted in FY 09-10 which identified more than 1,800 violations resulting in more than 1,000 enforcement actions. Since December 1, 2009, over 90 percent of the violations found at facilities were resolved within 10 business days or otherwise timely manner.

C5. Illicit Discharge Detection and Elimination

The Illicit Discharge Detection and Elimination (IDDE) program independently detects illicit discharges and responds to complaints regarding illegal discharges or threats of discharge to the storm sewer system. The City received 594 IDDE complaints in FY 09-10.



Collection System Screening

Vehicle and equipment leakage again made up the largest category of cases, representing approximately 15 percent of the IDDE caseload. The City will continue to target pollution prevention outreach to neighborhoods that have had high incidents of these cases. The number of grey water (non-sewage polluted water) cases decreased by 22 percent in FY 09-10, but still remains the second largest category of cases.

Complaints involving residential properties have continued to be among the highest number of cases that the City investigates, representing approximately half of the total caseload.

San José staff is working with BASMAA and SCVURPPP partners on the development of a collection system screening program to identify possible illicit discharges. The City developed SOPs and supporting documentation for

conducting screenings of its outfalls in conjunction with its existing outfall inspection and maintenance program. The City identified key outfalls draining industrial areas which are prioritized for screening as part of the new program.

C. 6 Construction Site Control

The City inspects activities at construction sites to prevent sediment and other pollutants from entering the storm sewer system, pursuant to Regional Permit requirements. Inspectors from Environmental Services, Public Works, and the Building Division coordinate inspections, enforcement, and outreach to builders on BMPs, City policies addressing erosion and sediment control, and Stormwater Permit and State Construction General Permit requirements.

The City continued to implement a vigorous construction site monitoring program throughout FY 09-10. Construction and associated inspection activity in San José continued at a similar pace to the previous year, but inspectors completed more stormwater construction inspections in FY 09-10. The most common violations observed during inspections were inadequate Sediment Control Best Management Practices (BMPs). Inspectors primarily used

Level 1 (Corrective Notices) enforcement actions in response to violations, and more than 90% of all problems were resolved within 10 business days.

In addition to inspection and enforcement, the City focused on training and professional development for staff. In October, 55 staff from various City departments attended a comprehensive training on construction site management. Other trainings were tailored for City inspectors, including a Building Inspectors Stormwater Inspection Training in February. The City continued its coordination with CASQA and SCVURPPP to prepare for implementation of the State Construction General Permit that was adopted in September 2009. Additionally, in April 2010, the City hosted a State Water Board-sponsored regional workshop on the State Construction General Permit.

C.7 Public Information and Outreach

The City has a robust and broad-based public information and outreach program that utilizes many different methods to deliver stormwater pollution prevention and watershed protection messages to diverse audiences. Community outreach and providing opportunities for participation in water quality protection activities are critical elements for encouraging the public behavior changes needed to manage stormwater quality. They are also important for garnering the support needed to continue and expand services and programs.

The City participates in and supports a wide variety of stormwater outreach and education activities, including many in collaboration with other local and regional agencies. Highlights for FY 09-10 include: hosting cleanup locations at two county-wide creek cleanup events; public presentations on the effects of pesticides on peregrine falcons; partnering with retail stores to provide on-site IPM outreach; and organizing a citizen water monitoring information sharing and networking event. Outreach continues to be a vital tool for inspectors, allowing for direct, targeted education of polluters and potential polluters. Education is the first step in the City's Enforcement Response Plan. Another critical audience for outreach and education directed at sustained behavior changes and watershed protection is school-aged youth. Educating the youth of San José continues to be a priority, with multiple programs targeting students, teachers, administrators, and school communities with watershed education and green practices.



Participants in the Water Wizard Festival

The City also actively supports Program-wide and Bay Area-wide outreach and education activities, including IPM outreach, mercury outreach, regional media relations, and the Watershed Watch campaign. Coordinating outreach activities with the Program and Bay Area-wide efforts enables the City to deliver consistent pollution prevention messages more effectively, more frequently, and at reduced cost.

C.8 Water Quality Monitoring

Most monitoring activities required in the stormwater permit are implemented at the Program level. The City also participates directly in region-wide monitoring activities including the following San Francisco Bay Regional Monitoring Program efforts: Sources, Pathways and Loadings Workgroup; Emerging Contaminant Workgroup; Dioxin Strategy Team; and Technical Review Committee. Financial support for the RMP has continued since its inception. In FY 09-

10, the City reviewed RMP study reports and served on RMP committees and workgroups, helping to develop work products.

Additionally, the City supports the SCVURPPP Monitoring ad hoc task group, and various regional and Program-focused investigations of pollutants and sources to the storm drain system. City staff also participated directly in the BASMAA Monitoring and POC Committee, which is the lead committee for development and coordination of the newly formed Regional Monitoring Coalition.

Locally, staff hosted an information sharing and networking event to promote citizen monitoring, and began working to support and encourage monitoring efforts by student groups. The City also worked with Program staff to design a study to investigate water quality issues in Coyote Creek. That study will be implemented early in FY 10-11.

C.9 Pesticides Toxicity Control

The Pesticides Toxicity Control program element includes provisions intended to prevent impairment of urban streams by pesticide-related toxicity. These include adoption and implementation of an Integrated Pest Management (IPM) policy, staff training, source control, and public outreach, among others. San José has incorporated IPM techniques in City operations for several years. The City's IPM Policy (formally called the Pollution Prevention Policy), requires IPM techniques to be implemented in municipal operations to reduce, phase out, and ultimately eliminate the use of pesticides that impair surface waters. San José has adopted a "Cities Keep it Clean" resolution, committing to work cooperatively with Save the Bay and other programs to implement an array of actions to reduce pollution of local waterways, including reducing pesticide use. The City received the California Department of Pesticide Regulations' (DPR) IPM Innovators Award in 2009-2010 for its overall commitment to environmental protection and sustainability, including IPM.



Sheep grazing to control weeds in a City park

In April 2010, the City developed and submitted a proposal for DPR's Pest Management Alliance Grant to fund a Pilot Pesticide Free Park and Demonstration Garden project. In July 2010, DPR announced that San José's proposal was selected and the City will be awarded full funding for the project.

During the reporting year, San José continued to apply proven and innovative IPM techniques to address municipal pest problems. Some examples of the IPM techniques used include grazing for weed abatement, removing diseased or insect infested plants and replacing them with more pest resistant plants, use of dormant oil for sycamore scale and anthracnose control, identifying areas of grub-infested turf that can be treated with nematodes instead of chemicals in the coming years, and encouraging beneficial non-stinging wasps to proliferate in-lieu of chemical controls for pests. The City continues to test new approaches for landscape pest and rodent control such as the use of bat and owl boxes to encourage natural predatory control of pests, and grazing for weed suppression. In FY 09-10, with the assistance of a volunteer birder, staff found brooding owls in five of the owl boxes.

The City's use of pesticides that can affect water quality, specifically organophosphates, fipronil, pyrethroids and carbaryls, continued to decrease for the past several years. No organophosphorous pesticides and carbaryls were used in FY 09-10. The use of pyrethroids and fipronil remained virtually the same compared to 2008-2009.

San José participates in regional collaborative efforts to provide educational outreach to residential and commercial pesticide users and pesticide retailers. Two education programs, Our Water, Our World and SCVURPPP's Watershed Watch campaign continued to increase pesticide awareness of target audiences regarding less toxic pesticide use. Watershed Watch continued facilitating the Santa Clara Valley Green Gardener training program and offered expanded trainings in Spanish.

C. 10 Trash Load Reductions

The purpose of the City's Trash Load Reduction program is to reduce litter and illegal dumping that pollutes or threatens to pollute urban waterways, and meet the Permit's aggressive goal of reducing trash impacts to receiving waters by 40% by 2014. Activities associated with the Trash program relate to prevention, assessment, and removal of trash and litter in the stormdrain system and San José waterways.

San José strongly advocates litter reduction and dumping prevention. In FY 09-10, the City continued programs promoting proper disposal of waste, volunteer cleanups, and illegal dumpsite correction. In addition, the City explored policies that could reduce or eliminate the use of specific items that frequently contribute to litter. The City continued to develop an ordinance to ban single-use carry out bags, conducted extensive outreach on the benefits of reusable bags during the year, and completed development of the Environmental Impact Report for the proposed ordinance.



Coyote Creek cleanup

The City has identified and begun cleanup of the 32 trash hot spots required by the Permit. After accepting recommendations for hot spot locations from the public, key stakeholders, City staff, and other agencies, the 89 potential hot spots were screened. Key screening criteria included accessibility, safety, contribution of litter from the storm sewer system, and ownership, with a preference for City owned property where access was assured for the entire term of the Permit. After applying the screening criteria to the list of proposed hot spots, the final locations were focused primarily in the lower Guadalupe River and in Coyote Creek.

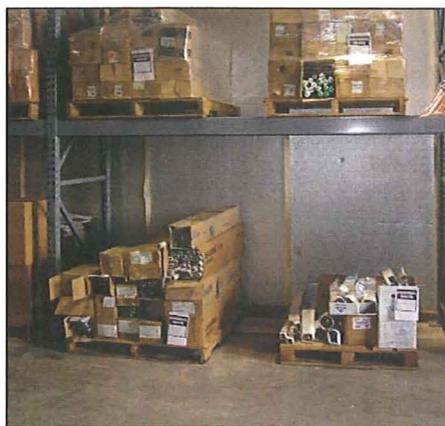
In addition to the Trash Hot Spot cleanups, the City of San José and the Santa Clara Valley Water District (District) continued efforts under the Memorandum of Agreement for Trash Prevention and Removal (Trash MOA). The Trash MOA includes weekly encampment cleanup activities on waterways in the City, up to ten monthly cleanups of large and active illegal encampments, as well as up to five cleanups in partnership with the District each year. In total, 110.9 tons of debris was removed through Trash MOA cleanups.

Structural controls to intercept trash in the storm sewer system will be an essential part of the City's short-term and long-term trash management strategy to meet the trash reduction goals established in the Permit. Previous piloting of catch basin inserts by San José, Sunnyvale and the Program has produced preliminary information on trash loading to the stormwater system.

The City is working closely with Program staff and other co-permittees to develop the Baseline Trash Load Assessment and Trash Reduction Tracking Methodology.

C.11 Mercury Controls and C.12 Polychlorinated Biphenyls (PCBs) Controls

The City has continued its efforts to reduce or eliminate potential mercury discharges from municipal operations. The City purchases low mercury content fluorescent lamps, and spent lamps are recycled properly. In FY 09-10, the City recycled more than 12,904 pounds of spent mercury-containing lamps. The City also supports the Santa Clara County Household & Small Business Hazardous Waste Program to provide fluorescent lamp recycling services to residents.



Fluorescent lamps stored for hazardous waste collection at

The City also continued to support the San Francisco Bay Regional Monitoring Program (RMP), which is planning and implementing a number of projects to evaluate sources and loadings of mercury and PCBs. The City is an active participant in regional efforts to understand and control stormwater inputs of both mercury and PCBs to the Bay. In particular, the City is an active participant on the BASMAA Monitoring and Pollutants of Concern Committee and multiple project-specific teams and workgroups such as the PCBs in Caulk Project, Stormwater Pump Station Diversions to POTWs effort, and the Clean Watersheds for a Clean Bay (CW4CB) workgroup. The CW4CB project is funded largely by an EPA Water Quality Improvement Fund Grant to implement multiple provisions under C.11 and C.12 such as on-land investigations and abatement, enhanced sediment removal, and evaluation of on-site stormwater treatment via retrofit. The City continues its

commitment to work with the Water Board and stakeholders toward TMDLs that are technically defensible and feasible for implementation.

C.13 Copper Controls

The City has long supported the Brake Pad Partnership, a collaborative multi-stakeholder organization formed to address copper from brake pads. The City submitted letters of support for AB 346 (Kehoe) to effectively eliminate copper in brake pads sold in California. The City is also an active participant in the RMP, which will implement studies to reduce copper pollutant impact uncertainties. The RMP has approved a special study for 2011 to evaluate the effect of dissolved copper on the olfactory system of salmonids.

The City has identified and incorporated businesses with copper use or have sources of copper into its Industrial and Commercial Inspection program, and key activities have been implemented to address copper, either exclusively or among the array of potential pollutants. A fact sheet regarding rooftop sources of copper pollution continues to be available for distribution to targeted industrial facilities. During their annual training, the City's Watershed Enforcement and Fats, Oils, and Grease inspectors received training on copper sources and BMPs and identifying PCBs and PCB-containing equipment during Industrial Inspections.

The City provides BMP information for its residents and commercial businesses on various actions they can take to reduce or eliminate the exposure and discharge of copper from their activities. Materials were distributed during inspections, at the City's planning and permitting offices, at outreach events, and on the City's website.

C.14 Polybrominated Diphenyl Ethers (PBDE), Legacy Pesticides and Selenium

Provision C.14 is implemented at the regional level. The City is an active participant in regional efforts to determine to what degree PBDEs, Legacy Pesticides, and Selenium are present in urban runoff and the distribution of these pollutants in urban areas. Studies to understand the extent to which urban runoff serves to convey these pollutants are implemented through the RMP and the Regional Monitoring Coalition (RMC) implementation of provision C.8. The City participates in both the RMP and the RMC through multiple RMP workgroups and the BASMAA Monitoring and POC Committee respectively.

C.15 Exempted and Conditionally Exempted Discharges

This provision includes many new requirements to implement BMPs and monitoring during planned and unplanned discharges of potable water; discourage individual residential car washing; controlling swimming pool, spa, and fountain water discharges; and limit pollution from excess irrigation.



Potable water discharge

The City held BMP and discharge monitoring training with its Municipal Water System staff and its contractor on November 20, 2009 in preparation for the new Permit requirements for planned and unplanned discharges of the potable water system. Municipal Water System staff began implementing required water quality monitoring in December 2009. In addition to training, the City evaluated methods for conducting the required monitoring of planned and unplanned discharges using different equipment to determine the best approach while minimizing the impact of the new requirements on operations and maintenance. As familiarity with BMPs and monitoring protocols increased, measurements within established benchmarks for chlorine, pH, and turbidity increased from 54, 84, and 88% to 77, 99, and 100% respectively. Additional improvements are expected as staff gains additional experience implementing BMPs and monitoring water quality.

Through its outreach activities, the City encouraged citizens to protect water quality by washing their cars at establishments where the wash water is recycled, or by washing cars over landscaped areas. The City also updated its water waste ordinance which, in addition to encouraging water conservation, prohibits practices that lead to over-watering and runoff. Additionally, the City continued to promote water-wise landscape irrigation techniques.

Conclusion

The City of San José is a leader in promoting bold, proactive environmental policies and continues to meet or exceed its regulatory obligations. The City is committed to managing and protecting stormwater quality and actively participates in many local and regional efforts designed to leverage the most value for its resources and citizens. San José will continue to focus resources to best protect water quality for the benefit of our citizens, businesses, and future generations.