Overview of the Proposed New Municipal Regulations: MRP 2.0

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Overview of Key Revisions: Bay Area Stormwater Permit History

- 1987 – Clean Water Act–Stormwater regulations
- 1987 – Bay Area Basin Plan–Urban Runoff Program
- 1989–1993 – BASMAA formed–Local agencies
- 1990 – Federal Stormwater regulations promulgated
- 1990 – First Bay Area Municipal Permits (early)
- 1990-2009 – Six “Phase I” permits (5 areawide; 2 individual)
- 2003 – First “Phase II” permit (statewide; North Bay)
- 2009-2015 – One regional permit (MRP) –76 local agencies
- 2013 – Second “Phase II” permit
- 2015-2020 – MRP 2.0
* C.1 Discharge Prohibitions / Receiving Water Limitations
* C.2 Municipal Operations
* C.3 New Development and Redevelopment
* C.4 Industrial and Commercial Site Control
* C.5 Illicit Discharge Detection and Elimination
* C.6 Construction Site Control
* C.7 Public Information and Outreach
* C.8 Water Quality Monitoring
* C.9 – C.14 Pollutants of Concern-specific provisions (Pesticides, Trash, Mercury, PCBs, Copper, Bacteria)
* C.15 Exempted and Conditionally Exempted Discharges

**MRP 2.0 Provisions**
Focus on Green Infrastructure (GI)

Require each Permittee to develop a Green Infrastructure Plan that meets the minimum requirements outlined in the MRP within the permit term

Plan for inclusion of low impact development (LID) drainage design into storm drain infrastructure

Serve as implementation guide and reporting tool during this and future Permit terms

Describe how the Permittees will shift their impervious surfaces and storm drain infrastructure from gray, or traditional storm drain infrastructure where runoff flows directly into the storm drain and then the receiving water, to green—that is, to a more-resilient, sustainable system that slows runoff by dispersing it to vegetated areas, harvests and uses runoff, promotes infiltration and evapotranspiration, and uses bioretention and other green infrastructure practices to clean stormwater runoff
Identify means and methods to prioritize particular areas and projects within each Permittee’s jurisdiction, at appropriate geographic and time scales for implementation of GI projects.

Incorporate plans required elsewhere within the Permit for the monitoring of and to ensure appropriate reductions in trash and PCBs, mercury, and other pollutants.

Permittees must submit documentation of early buy-in and commitment by governing body.

Permittees must submit annual list of potential or planned green infrastructure projects.
Aggressive time schedules for:

- framework approval by governing body (within 1 year)
- mapping potential projects (within 2 years)
- setting targets for amount of impervious surface retrofitted within 2, 7, 12, 27, & 52 years
- submitting GI Plan (by September 2019)
- submitting list of early GI projects (each September)

This sub-provision remains one of the biggest new requirements in MRP 2.0 and will require significant effort by all Permittees
New benchmarks added

- [40% trash reduction compliance limit by July 1, 2014]
- 60% benchmark by July 1, 2016
- 70% compliance limit by July 1, 2017
- 80% benchmark by July 1, 2019
- 100% or no adverse impact to receiving waters by July 1, 2022

Two compliance tracks (statewide):

- Full Trash Capture devices – 1 BMP (best management practice)
- Suite of BMPs + Assessment verifying effectiveness (Bay Area)
Trash Load Reduction (C.10)(cont’)

* Accounting is map or Trash Management Area based, with trash generation areas weighted based on gallons / acre / year (Very High > 50, High = 10-50, Medium = 5-10, Low < 5)
* Provision for compliance value for source control and additional creek and shoreline cleanup beyond Hot Spot cleanup requirements, with sufficient assessment and demonstration of sufficient outcome
* Assessment is basis for all accounted credit toward trash reduction – visual assessment primary means
* Receiving water monitoring required
**Polychlorinated Biphenyls (PCBs) Controls (C.12)**

- MRP 1.0 based on R&D of BMPs, including pilot testing
- MRP 2.0
  - Builds on results of R&D
  - Focuses on achieving load reductions to make substantial progress on TMDL allocations (Regionwide load ~ 20 Kg/yr. in 2003 → Allocation ~ 2 Kg/yr. by 2030)
- Substantial progress:
  - Years 1 and 2 average = 0.5 Kg/yr. reduction
  - Years 3 through 5 average = 3 Kg/yr. reduction
PCBs Controls (C.12)(cont’): Best management practices

* Green infrastructure
  * Years 3 through 5 average = 120 g/yr. reduction
  * Provide reasonable assurance GI will yield load reductions
* Manage PCB-containing materials / waste (e.g., caulk) during demolition of buildings built between 1950 and 1980
PCBs Controls (C.12)(cont’): Studies

* Evaluate PCB presence in caulk used in storm drain or roadway infrastructure
* Study fate, transport, and biological uptake of PCBs in stormwater discharged to Bay margins
* Develop assessment methodology and data collection program to quantify loads reduced by BMPs
May 11, 2015 – Tentative Order released
June 4, 2015 – MRP Steering Committee meeting
June 10, 2015 – Workshop on all of permit, except trash
July 8, 2015 – Workshop on trash provision, plus leftover
July 10, 2015 – Written comments due
???? – Final Draft Order released
October 14, 2015 – Permit reissued
December 1, 2015? – Permit effective
Questions at end of Agenda

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