



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

RECEIVED
July 13, 2017
**Commission on
State Mandates**

July 13, 2017

VIA DROP BOX

Heather Halsey, Executive Director
Commission on State Mandates
980 9th Street, Suite 300
Sacramento, CA 95814

Re: Request for Reports of Waste Discharge

California Regional Water Quality Control Board, San Francisco Bay Region,
Order No. R2-2009-0074, Provisions C.2.b, C.2.c, C.2.e, C.2.f, C.8.b, C.8.c,
C.8.d, C.8.e.i, ii and iv, C.8.f, C.8.g, C.10.a.i, ii, and iii, C.10.b, C.10.c, C.10.d,
C.11.f, and C.12.f
10-TC-01, 10-TC-02, 10-TC-03 and 10-TC-05
Cities of Alameda, Brisbane, and San Jose, and County of Santa Clara,
Claimants

Dear Ms. Halsey,

This responds to your July 11, 2017 request to Messrs. Wolfe and Lauffer for reports of waste discharge (ROWD).

- Enclosed is a copy of the Alameda County Clean Water Program ROWD.
- The Fairfield-Suisun was included as File Name "136" in the March 23, 2017 submittal to the Commission.
- The San Mateo Countywide SWPPP was included as File Name "137" in the March 23, 2017 submittal to the Commission.
- The Santa Clara Valley URPPP was included as File Name "138" in the March 23, 2017 submittal to the Commission.
- Although there is a mention of the ROWD for the Contra Costa Clean Water Program (CCCWP) in the 2009 Municipal Regional Permit (MRP 1.0), Regional Water Board staff is unable to locate a copy of it in the files. Regional Water Board staff asked CCCWP for a copy of its ROWD, but they were unable to locate a copy either.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

- There is no mention of a ROWD being submitted in MRP 1.0 for the Vallejo Sanitation and Flood Control District and Regional Water Board staff is unable to locate a copy in the files. Regional Water Board staff asked the District for a copy of the ROWD, but they were unable to locate a copy either.

Please do not hesitate to contact me if you have additional questions or concerns.

Yours very truly,

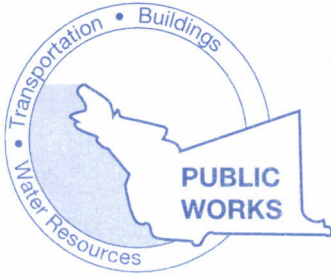


Tamarin Austin

Attorney IV

San Francisco Bay Regional Water Quality Control Board

cc: Service List [**via Commission Drop Box**]
[**via email only**]
Bruce Wolfe
Michael Lauffer
Greg Newmark



**COUNTY OF ALAMEDA
PUBLIC WORKS AGENCY**

399 Elmhurst Street • Hayward, CA 94544-1395
(510) 670-5480

July 26, 2007

Mr. Bruce H. Wolfe, Executive Officer
California Regional Water Quality Control Board, San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Dear Mr. Wolfe:

**SUBJECT: APPLICATION FOR REISSUANCE OF ALAMEDA COUNTYWIDE CLEAN WATER
PROGRAM NPDES STORMWATER PERMIT**

This cover letter and enclosures constitute the Alameda Countywide Clean Water Program (ACCWP) Application for Re-issuance of its Municipal Stormwater Discharge Permit under the National Pollutant Discharge Elimination System (NPDES). The application package consists of this cover letter, the Fiscal Year 2005-2006 Annual Report (submitted previously), and the following enclosures:

1. Completed Application/Report of Waste Discharge – Form 200;
2. ACCWP General Program Work Plan and Budget for Fiscal Year 2007-2008;
3. ACCWP Memorandum of Agreement among the member agencies authorizing the Alameda County Flood Control and Water Conservation District to apply for permit re-issuance on behalf of the member agencies; and,
4. The Loads Assessment Summary Report (1991) characterizing Alameda county stormwater.

As you know, ACCWP has been participating in discussions regarding the development of a Municipal Regional Permit (MRP) for all Phase-I municipal stormwater dischargers in the San Francisco Bay Area. This discussion has involved the active participation of many stakeholders and members of the Bay Area community. Based upon the current schedule proposed by Water Board staff, we anticipate that the MRP may be adopted prior to the expiration of our existing permit in February 2008. As the Water Board staff draft MRP incorporates performance standards, provisions and requirements within the permit more stringent than those in the Program's Stormwater Quality Management Plan, we are not submitting a storm water management plan with proposed performance standards as we have with previous applications when the permit itself did not contain such performance standards, provisions and requirements.

We look forward to working with you and your staff to develop and implement our re-issued stormwater discharge permit. If you have any questions, please call Jim Scanlin at (510) 670-6548.

Yours truly,

Daniel Woldesenbet, Ph.D., P.E.
Director of Public Works

c: Janet O'Hara

- Enclosures:
1. Completed Application/Report of Waste Discharge – Form 200
 2. ACCWP General Program FY 07/08 Work Plan and Budget
 3. ACCWP Memorandum of Agreement
 4. Loads Assessment Summary Report (1991)



State of California
Regional Water Quality Control Board
**APPLICATION/REPORT OF WASTE DISCHARGE
GENERAL INFORMATION FORM FOR
WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT**



I. FACILITY INFORMATION

A. Facility:

Name: Alameda Countywide Clean Water Program (ACCWP)			
Address: 951 Turner CT.			
City: Hayward	County: Alameda	State: CA	Zip Code: 94545
Contact Person: Jim Scanlin		Telephone Number: (510) 670-6548	

B. Facility Owner:

Name: ACCWP			Owner Type (Check One)	
Address: 951 Turner CT.			1. <input type="checkbox"/> Individual	2. <input type="checkbox"/> Corporation
City: Hayward	State: CA	Zip Code: 94545	3. <input type="checkbox"/> Governmental Agency	4. <input type="checkbox"/> Partnership Agency
Contact Person: Jim Scanlin		Telephone Number: (510) 670-6548	5. <input checked="" type="checkbox"/> other: Agreement	
			Federal Tax ID: NA	

C. Facility Operator (The agency or business, not the person):

Name: ACCWP			Operator Type (Check One)	
Address: 951 Turner CT.			1. <input type="checkbox"/> Individual	2. <input type="checkbox"/> Corporation
City: Hayward	State: CA	Zip Code: 94545	3. <input type="checkbox"/> Governmental Agency	4. <input type="checkbox"/> Partnership Agency
Contact Person: Jim Scanlin		Telephone Number: (510) 670-6548	5. <input checked="" type="checkbox"/> other: Agreement	

D. Owner of the Land:

Name: ACCWP			Owner Type (Check One)	
Address:			1. <input type="checkbox"/> Individual	2. <input type="checkbox"/> Corporation
City:	State:	Zip Code:	3. <input type="checkbox"/> Governmental Agency	4. <input type="checkbox"/> Partnership Agency
Contact Person: Jim Scanlin		Telephone Number:	5. <input checked="" type="checkbox"/> other: Agreement	

E. Address Where Legal Notice May Be Served:

Address: 951 Turner CT.			
City: Hayward	State: CA	Zip Code: 94545	
Contact Person: Jim Scanlin		Telephone Number: (510) 670-6548	

F. Billing Address:

Address: 951 Turner CT.			
City: Hayward	State: CA	Zip Code: 94545	
Contact Person: Jim Scanlin		Telephone Number: (510) 670-6548	



APPLICATION/REPORT OF WASTE DISCHARGE GENERAL INFORMATION FORM FOR WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT



II. TYPE OF DISCHARGE

Check Type of Discharge(s) Described in this Application (A or B):

[] A. WASTE DISCHARGE TO LAND

[X] B. WASTE DISCHARGE TO SURFACE WATER

Check all that apply:

- [] Domestic/Municipal Wastewater Treatment and Disposal
[] Cooling Water
[] Mining
[] Waste Pile
[] Wastewater Reclamation
[] Other, please describe:

- [] Animal Waste Solids
[] Land Treatment Unit
[] Dredge Material Disposal
[] Surface Impoundment
[] Industrial Process Wastewater

- [] Animal or Aquacultural Wastewater
[] Biosolids/Residual
[] Hazardous Waste (see instructions)
[] Landfill (see instructions)
[X] Storm Water

III. LOCATION OF THE FACILITY

Describe the physical location of the facility. (See maps in Attachment 1)

1. Assessor's Parcel Number(s)
Facility:
Discharge Point:

2. Latitude
Facility:
Discharge Point:

3. Longitude
Facility:
Discharge Point:

IV. REASON FOR FILING

[] New Discharge or Facility
[] Changes in Ownership/Operator (see instructions)
[] Change in Design or Operation
[X] Waste Discharge Requirements Update or NPDES Permit Reissuance
[] Change in Quantity/Type of Discharge
[] Other:

V. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Name of Lead Agency: NA
Has a public agency determined that the proposed project is exempt from CEQA? [] Yes [] No
Basis for Exemption/Agency:
Has a "Notice of Determination" been filed under CEQA? [] Yes [] No
Expected CEQA Documents:
[] EIR [] Negative Declaration
Expected CEQA Completion Date:



**APPLICATION/REPORT OF WASTE DISCHARGE
GENERAL INFORMATION FORM FOR
WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT**



VI. OTHER REQUIRED INFORMATION

Please provide a COMPLETE characterization of your discharge. A complete characterization includes, but is not limited to, design and actual flows, a list of constituents and the discharge concentration of each constituent, a list of other appropriate waste discharge characteristics, a description and schematic drawing of all treatment processes, a description of any Best Management Practices (BMPs) used, and a description of disposal methods.

Also include a site map showing the location of the facility and, if you are submitting this application for an NPDES permit, identify the surface water to which you propose to discharge. Please try to limit your maps to a scale of 1:24,000 (7.5' USGS Quadrangle) or a street map, if more appropriate.

VII. OTHER

Attach additional sheets to explain any responses which need clarification. List attachments with titles and dates below:

The discharge was characterized as part of the original permit application.

The Loads Assessment Summary Report is attached. Also attached are the Program's

Work Plan & Budget for FY 07/08 and the Memorandum of Agreement.

You will be notified by a representative of the RWQCB within 30 days of receipt of your application. The notice will state if your application is complete or if there is additional information you must submit to complete your Application/Report of Waste Discharge, pursuant to Division 7, Section 13260 of the California Water Code.

VIII. CERTIFICATION

"I certify under penalty of law that this document, including all attachments and supplemental information, were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Print Name: Daniel Woldesenbet, Ph.D., P.E.

Title: Director of Public Works

Signature:

Date:

7/26/07

FOR OFFICE USE ONLY

Date Form 200 Received:	Letter to Discharger:	Fee Amount Received:	Check #:
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Alameda Countywide Clean Water Program
Fiscal Year 2007/08 General Program Work Plan and Budget

Program Component	Fiscal Year 07/08 Budget
Planning and Regulatory Compliance	\$500,000
Permit Appeal/Litigation Contingency	\$100,000
C.3, Hydromodification Management, New Permit contingency	\$100,000
Monitoring and Special Studies	\$473,000
Public Information/Participation	\$378,000
PI/P Rollover	\$50,000
Municipal Maintenance Activities	\$50,000
New Development and Construction Site Controls	\$72,000
Illicit Discharge/ Industrial and Commercial Discharge Controls	\$74,000
BUDGET TOTAL	\$1,797,000

Alameda Countywide Clean Water Program
 Planning and Regulatory Compliance General Program Work Plan and Budget - FY 2007/08

Task Number and Description	07/08 Budget
<p>PRC-1. Participate in the Regulatory Process:</p> <p>PRC 1.a: Legal Assistance: Review and comment on legislation and regulation affecting stormwater management. Assist with permit reissuance, any permit appeal issues and reviewing/participating in RWQCB's process for developing its regional stormwater permit. (Grimm)</p> <p>PRC 1.b: Review and comment on legislation and regulation affecting stormwater management. Represent Program in discussions with Regional Board regarding permit implementation and TMDL development; and on the Clean Estuary Partnership Executive Management Board, BASMAA Board, Regional Monitoring Program Steering Committee and California Stormwater Quality Association. (District)</p>	<p>\$155,000</p> <p>(\$80,000)</p> <p>(\$75,000)</p>
<p>PRC-2. Assist with Permit Compliance:</p> <ul style="list-style-type: none"> • Annual Report: Prepare and submit Annual Report to the Water Board detailing General Program activities. • Assist member agencies: Provide information and materials to member agencies as needed (Estimated at 3 hours/week). (District) • Draft and submit additional correspondence to the Water Board as needed. (District) • At the direction of Program Manager, provide assistance to Program Manager and member agencies. (Grimm) 	<p>\$62,000</p> <p>(\$25,000)</p> <p>(\$20,000)</p> <p>(\$7,000)</p> <p>(\$10,000)</p>
<p>PRC 3 & 4. Develop Partnerships and Facilitate Watershed Approach:</p> <ul style="list-style-type: none"> • Expand upon existing partnerships and to pursue opportunities to create additional partnerships (e.g., ACWMA, HHW, and Environmental Organizations). (District) • Coordinate the Program's involvement in watershed management activities (e.g., Lake Merritt, Alameda Creek, and SCVWMI). Assist with implementation of Watershed Management Integration Report (District) 	<p>\$20,000</p> <p>(\$10,000)</p> <p>(\$10,000)</p>
<p>PRC 5. Pollutant Reduction Plans:</p> <ul style="list-style-type: none"> • Inform member agencies of the Pollutant Reduction Plans and coordinate the implementation and updating of Pollutant Reduction Plans 	<p>\$30,000</p>
<p>PRC 6. Planning and Evaluation:</p> <ul style="list-style-type: none"> • Program planning, coordination, and evaluation; PLS work groups. • Website: Improvement and maintenance 	<p>\$40,000</p> <p>(\$20,000)</p> <p>(\$20,000)</p>

Alameda Countywide Clean Water Program
 Planning and Regulatory Compliance General Program Work Plan and Budget - FY 2007/08

Task Number and Description	07/08 Budget
PRC 7. Management Services	\$118,000
• Facilitate PLS and Management Committee meetings. (District)	(\$16,000)
• Attend Management and Policy Level Subcommittee meetings. (EOA)	(\$9,000)
• Project Management (EOA)	(\$30,000)
• Quarterly Reports (EOA)	(\$3,000)
• Contract Management (District)	(\$40,000)
• Program Management (District)	(\$20,000)
PRC 8. Fees and Dues	\$75,000
• BASMAA (Contribution reduced to cover MRP related legal services)	(\$50,000)
• CASQA	(\$15,000)
• Green Business	(\$10,000)
Total Planning and Regulatory Compliance Budget	\$500,000

Special Projects

Task Number and Description	07/08 Budget
Permit Appeal/Litigation Contingency:	\$100,000
C.3 & Hydro-modification Management, New Permit Contingency:	\$100,000
Total Budget	\$200,000

Alameda Countywide Clean Water Program

Monitoring and Special Studies Work Plan and Budget - FY 2007/08

Task Number and Description		07/08 Budget
C.8.a.i	Regional Collaboration – Develop Status & Trends Watershed Monitoring Plan	\$53,750
C.8.b	Estuary monitoring including:	\$162,000
C.8.e.i	• C.8.e.i, Mass emissions and loading studies	
C.8.e.ii	• C.8.e.ii, Sediment delivery estimate	
C.11.c	• C.11.c, Fate and transport study of mercury in urban runoff	
C.8.c	Status Monitoring - Watershed Indicators	\$95,400
C.8.c	Long Term Trends Monitoring	\$70,000
C.8.d	Monitoring Projects	\$16,200
C.8.e	TMDL Monitoring	\$23,350
C.9	Pesticides Toxicity Prevention	\$0
C.10.a	Trash assessment framework	\$10,000
C.11	Mercury Reduction Studies	\$12,650
C.12	PCB - Studies	\$37,300
C.13	Copper – Studies	\$3,450
C.14	PBDEs, Legacy Pesticides and Selenium	\$12,900
	General regional coordination	\$27,250
	Subcommittee support and administration	\$48,750
Total Monitoring Budget		\$573,000
Charges against FY 06/07 Encumbrances		-\$100,000
FY 2007-2008 Monitoring Budget		\$473,000

Alameda Countywide Clean Water Program
Public Information/Participation Component Work Plan and Budget - FY 2007/08

Task	Description	Proposed 07/08
PI/P 1. Implement targeted outreach: Pesticide Reduction	<p>Advertising and Local Placement: Continue promotion of Our Water Our World campaign and other pesticide toxicity reduction messages.</p> <p>IPM Partnership: Expand the number of stores participating in OWOW program.</p> <p>Bay Friendly Gardening: Fund two to three Bay Friendly Gardening/Integrated Pest Management Workshops.</p> <p>Gardening Tours: Provide funding to the Bay Friendly Gardening and Bringing Back the Natives garden tours.</p>	<p>\$133,000</p> <p>(\$80,000)</p> <p>(\$40,000)</p> <p>(\$8,000)</p> <p>(\$5,000)</p>
PI/P 2. Continue to reinforce storm water messages:	<p>Outreach/Promotional Materials:</p> <p>Event Participation: Program participation in events such as County Fair, Home and Garden fairs.</p>	<p>\$25,000</p> <p>(\$20,000)</p> <p>(\$5,000)</p>
PI/P 3. Support educational and watershed-based approaches:	<p>Educational Services Program:</p> <p>Community Stewardship Grants: Grants administered by The Watershed Project</p>	<p>\$145,000</p> <p>(\$120,000)</p> <p>(\$25,000)</p>
PI/P 4. Assist Member Agencies:	Budget for this item is covered under Task 5-Component Management.	\$0
PI/P 5. Component management and evaluation:	<p>Subcommittee Support</p> <p>Component Management</p> <p>Component Evaluations</p>	\$75,000
Subtotal	Current Fiscal Year Funds	\$378,000
PIP Rollover: Regional Advertising		\$50,000
Total PIP Budget		\$428,000

Alameda Countywide Clean Water Program

Municipal Maintenance Activities General Program Work Plan and Budget - FY 2007/08

Task Number and Description	FY 07/08
<p>MN-1. Implement and Assist with Performance Standards:</p> <p>Work through the Maintenance Subcommittee to select a performance standard to detail for the annual report. Possible performance standards to highlight include those pertaining to road repair, litter abatement, leave collection and graffiti abatement programs.</p>	\$9,000
<p>MN-2. Coordinating Maintenance-Related Activities with Other Subcommittees of the ACCWP, Other Agencies and Private Industries:</p> <p>The subcommittee will work with appropriate staff from other ACCWP subcommittees, park and recreation departments, and other public agencies and private industries whose activities are similar to or potentially affect municipal maintenance activities to identify activities of concern.</p>	\$0
<p>MN-3. Optimize Data Management and Analysis:</p> <ul style="list-style-type: none"> - The General Program will optimize ongoing collection, recording and analysis of maintenance data. This will include continuing to evaluate if the types of maintenance data being collected are useful and if other types of data should be collected 	\$0
<p>MN-4. Outreach and Training:</p> <p>Facilitate outreach and training activities aimed at preventing discharges from maintenance activities, with direction from the Maintenance Subcommittee. This includes selecting the appropriate forum (e.g., workshops, round table meetings, work groups, inter/intra-agency coordination meetings, etc.) depending on the target audiences (e.g., ACCWP agencies, other agencies, property owners, residents, etc.). Includes development and printing of materials as necessary.</p>	\$20,000
<p>MN-5. Manage Component and Evaluate and Improve Its Effectiveness:</p> <ul style="list-style-type: none"> - MN-5.a: Facilitate Quarterly Maintenance Subcommittee meetings - MN-5.b: Review MRP draft and final performance standard tables and present findings to Subcommittee. - MN-5.c: Draft subcommittee highlights for inclusion in Annual Report. 	\$21,000
Total Municipal Maintenance Budget	\$50,000

New Development and Construction Site Controls General Program Work Plan and Budget - FY 2007/08

Task Number and Description	FY 07/08
<p>ND-1. Identify More Specific Stormwater Controls for New Development:</p>	\$0
<p>ND-2. Assist with Implementation of More Specific Source, Site Design, Stormwater Treatment Controls, and Hydromodification Management Measures:</p> <ul style="list-style-type: none"> • Assist the ACCWP's member agencies to implement the Provision C.3 tasks. • Assist with updating the C.3 Stormwater Handbook, if needed. 	\$25,000
<p>ND-3. Assist Development and Facilitate Use of Watershed Information:</p> <ul style="list-style-type: none"> • Identify watershed information needs related to new development. Continue to communicate these needs to the Watershed Assessment and Monitoring Subcommittee. • Facilitate municipal planning and engineering staff's use of this information as it becomes available. 	\$0
<p>ND-4. Promote Outreach and Training:</p> <ul style="list-style-type: none"> • Assist with conducting one outreach and/or training event to a target group (agency staff or building industry) chosen by the New Development Subcommittee or collaborate with other agencies to conduct training, or • Develop and distribute outreach materials, which may include guidance and educational material for agency staff. 	\$22,000
<p>ND-5. Assist with NPDES Permit Requirements, Reports, and Budgets:</p> <p>Provide support for monthly New Development Subcommittee meetings, the Provision C.3 work group, and/or other work groups as possible within the available budget. Prepare reports, budgets, and other items to assist with implementation and documentation of this component. As possible, evaluate effectiveness of this component so that the New Development Subcommittee can make improvements to the General Program.</p>	\$25,000
Total New Development Budget	\$72,000

Alameda Countywide Clean Water Program
Illicit/Industrial and Commercial Discharge Control General Program Work Plan and Budget – FY 2007/08

Task Number and Description	07/08
<p>ID/ICD-1. Assist with the Implementation of Performance Standards: Assist Agencies to implement business inspections and related performance standards and encourage Program-wide consistency under the auspices of the Industrial/Commercial & Illicit Discharge Control (I&IDC) Subcommittee and its work groups.</p>	\$0
<p>ID/ICD-2. Develop BMP Guidance Materials: Identify target audiences and which format to use for materials and produce materials.</p>	\$0 (covered under #4)
<p>ID/ICD-3. Track and Analyze Facility Inspection Reports:</p>	\$0
<p>ID/ICD-4. Conduct Outreach and Training: -Form and facilitate Outreach and Training work group. -Identify a target audience (agency, business groups or industrial/ commercial associations), select appropriate forum for outreach under the direction of the I&IDC Subcommittee. When common objectives exist, coordinate training or outreach events with other ACCWP subcommittees or outside entities. - Develop and print BMP guidance material as needed - Evaluate effectiveness of industrial/commercial inspection and illicit discharge efforts and/or the outreach and training efforts.</p>	\$36,000
<p>ID/ICD-5. Manage Component</p> <ul style="list-style-type: none"> • Facilitate every two month Subcommittee meetings: prepare agendas and summary report for Management Committee, attend meetings. (\$22,000) • Provide limited technical support for users of the commercial and industrial database. (\$10,000) • Summarize inspection discharge data, provide limited on-call assistance to agencies and draft subcommittee highlights for inclusion in Annual Report. (\$6,000) 	\$38,000 (\$22,000) (\$10,000) (\$6,000)
<p>Total Illicit Discharge/Industrial and Commercial Discharge Control Budget</p>	\$74,000

Appendix D: Figures

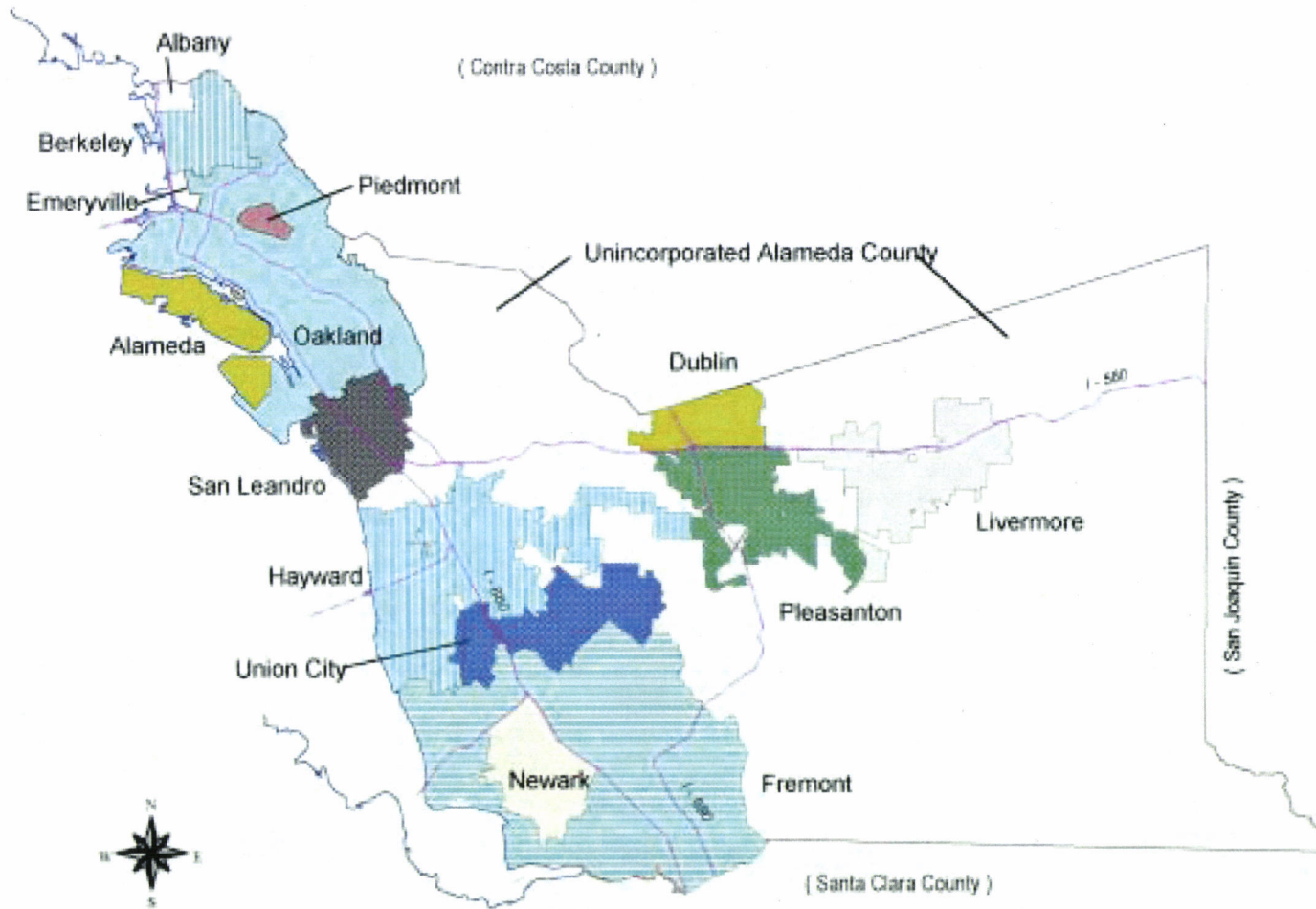
Figure D-1. Alameda County Municipalities

Figure D-2. Major Open Creeks and Waterbodies in Alameda County

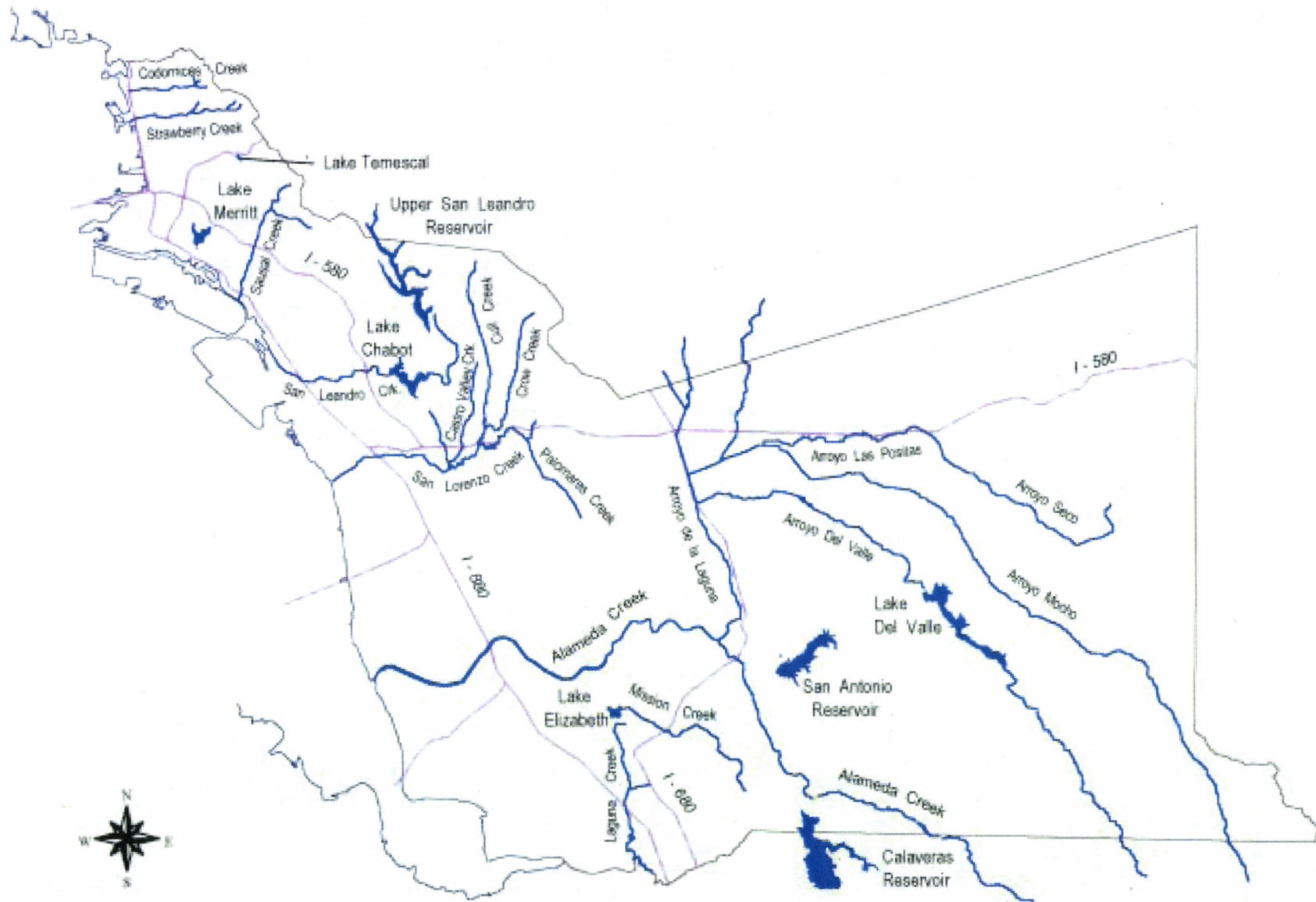
Figure D-3. Boundaries of Alameda County watersheds

Alameda County Municipalities

Figure D-1



Major Open Creeks and Waterbodies in Alameda County
Figure D-2



**Boundaries of Alameda County Watershed
Figure D-3**



AGREEMENT

PROVIDING FOR IMPLEMENTATION OF THE ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM

THIS AGREEMENT is made and entered into by and between the following undersigned public agencies, all which are referred to collectively as the PARTIES.

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a public agency of the State of California;

Zone 7 of ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a local public agency of the State of California;

COUNTY OF ALAMEDA, a subdivision of the State of California;

CITY OF ALAMEDA, a municipal corporation of the State of California;

CITY OF ALBANY, a municipal corporation of the State of California;

CITY OF BERKELEY, a municipal corporation of the State of California;

CITY OF DUBLIN, a municipal corporation of the State of California;

CITY OF EMERYVILLE, a municipal corporation of the State of California;

CITY OF FREMONT, a municipal corporation of the State of California;

CITY OF HAYWARD, a municipal corporation of the State of California;

CITY OF LIVERMORE, a municipal corporation of the State of California;

CITY OF NEWARK, a municipal corporation of the State of California;

CITY OF OAKLAND, a municipal corporation of the State of California;

CITY OF PIEDMONT, a municipal corporation of the State of California;

CITY OF PLEASANTON, a municipal corporation of the State of California;

CITY OF SAN LEANDRO, a municipal corporation of the State of California;

and CITY OF UNION CITY, a municipal corporation of the State of California.

RECITALS

A. The Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan), and the NPDES Permit for the Alameda Countywide Clean Water Program adopted by the Regional Water Quality Control Board in implementation of the Federal Clean Water Act, requires that the PARTIES develop a Program to control the discharge of pollutants from urban runoff.

B. In furtherance of their responsibilities pursuant to the Basin Plan and the applicable NPDES Permit, the PARTIES, have previously entered into a series of agreements to jointly fund the cost of preparing an action plan to evaluate nonpoint source pollutants, monitor identified pollutants and develop control measures to mitigate or reduce nonpoint sources of pollutants. Collectively, the measures undertaken pursuant to the previous agreements and anticipated to continue pursuant to this Agreement are known as the Alameda Countywide Clean Water Program (hereinafter "Program"). The Program contains certain elements that provide a general benefit to the parties (such as monitoring, public education, program administration, etc.) and these elements of joint responsibility among the parties are termed the "General Program". In addition, the Program contains other elements that are an individual Party responsibility and which provide individual benefits (such as construction site controls, catch basin cleaning, illicit and illegal connection inspections, new development and redevelopment performance standards and monitoring and enforcement), and these elements are termed the "Individual Programs". A description of the General and Individual Programs'

elements, major tasks, schedules, and budgets have been developed as part of the Stormwater Quality Management Plan, and the Annual Reports and Workplans.

C. The previous Agreements that have been executed are the following: The November 10, 1987 "Agreement Regarding Evaluation of the Non-Point Source of Water Pollution;" the October 17, 1989 "Agreement Regarding Implementation of Nonpoint Source Control Evaluation Program;" the agreement titled "Agreement Regarding Development of a Proposed Alameda County Nonpoint Source Control Management Plan" which provided funding through June 1991 for implementation of the August 24, 1990 work plan; and the 1991 "Agreement to Implement the Alameda County Urban Runoff Clean Water Program," as amended in 1998 and 2001.

D. The PARTIES desire to continue the Program and to enter into this Agreement for the purpose of ensuring continued participation, in terms of cost and administrative responsibilities, and to make certain minor and procedural revisions to facilitate implementation of the Program.

E. This Agreement does not supersede any prior agreement among the PARTIES regarding the Program, but is to be read as in accord with and implementation thereof.

F. The Alameda County Flood Control and Water Conservation District (District) is a local public agency of the State of California duly organized and

existing and empowered to conserve water and to provide maintenance and flood control management of the water courses and has the authority to control the discharge of surface waters to its facilities. The County of Alameda and all of the cities therein are subdivisions of the State with authority to control the discharge of surface waters from their respective jurisdictions.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. A Management Committee shall provide overall program direction, review and recommend an annual budget for approval by the PARTIES, and budget oversight, all in accordance with the Alameda Countywide Clean Water Program. Management Committee members, and their alternates, shall be appointed by the City Manager or the equivalent of the respective Parties and a confirming letter sent to the authorized representative of the District. The Management Committee shall adopt bylaws for its governance.

- (a) Each Party to this agreement is allocated the number (or fraction thereof) of votes shown in Exhibit A. This allocation of voting strength is based on the formula and methods stated in Exhibit B to the Agreement.
- (b) A quorum for the conduct of business by the Management Committee shall be a majority of the voting Parties to the Agreement. The voting strength allocated to a Party shall not be considered in the determination of a quorum.
- (c) Approval of actions by the Management Committee shall require a two-thirds affirmative vote of all allocated votes as shown in Exhibit A.

Management Committee approval is required prior to any General Program expenditure by the District or any other party to this agreement.

2. Pursuant to direction of the Management Committee, the District shall administer and coordinate the Program [except as provided by paragraph (d) below], which duties include but are not limited to:

- (a) Reapplying on behalf of the PARTIES to become co-applicants for a National Pollutant Discharge Elimination System (NPDES) permit;
- (b) Preparing draft annual budget and periodic status reports on Program activities and expenditure, and distributing same to PARTIES at least annually;
- (c) Consolidating and submitting reports prepared by the several PARTIES required by the NPDES permit;
- (d) Letting and administering approved consultant contracts according to District policies and procedures and considering other members' requirements. In addition, a party to this agreement, pursuant to the direction of the Management Committee, may let and administer approved consultant contracts considering other members' requirements. Any party to this agreement who is administering a contract for the General Program shall be compensated for its services and/or contract costs as agreed to in advance by the Management Committee. All consultant contracts will contain hold harmless and indemnity provisions and insurance requirements for the benefit of all PARTIES;
- (e) Conducting audits of consultant contracts in accordance with District policies and procedures;
- (f) Maintaining knowledge of and advising the PARTIES regarding current and proposed state and federal policies, regulations and programs that impact nonpoint source pollutant control programs; assisting the PARTIES in development and presentation of positions on these issues before local, State, and Federal agencies;

- (g) Preparing an annual report on the implementation of the Program;
- (h) Representing the PARTIES in participation in the Bay Area Stormwater Management Agencies Association; and
- (i) Formally advising the appropriate State and Federal agencies of termination or amendment of this Agreement.

3. The PARTIES accept and agree to perform the following duties:
- (a) Each will authorize a representative to reapply for an NPDES permit as co-applicants with the other Parties;
 - (b) Each will fully comply with the NPDES permit conditions applicable to its Individual Program and its identified portion of the General Program;
 - (c) Each will select a representative and an alternate to participate in Management Committee meetings and other required meetings of the PARTIES;
 - (d) Each will fund and implement its own Individual Program, and will fund and implement its share of the General Program. The District intends to provide funding to support new and expanded activities required by the General and Individual Programs for Cities locate in District zones with Benefit Assessment Programs. Such funding will be provided to the extent that it is available and with the concurrence of the applicable City if it results in deferring flood control projects.
 - (e) Each will provide agreed upon reports (certified under penalty of perjury) to the District on compliance with applicable provisions of the NPDES permit and program implementation.

4. A proper accounting of funds and reports of all receipts and disbursements shall be made, including funds disbursed to individual parties for

implementation of permit programs. Upon completion of the purposes of this Agreement, any surplus money on hand shall be returned in proportion to the contributions made. In the event a Party terminates this Agreement, any unexpended portion of its share of cost funds shall be returned to it.

5. By agreement of the PARTIES, budget allocations and voting shares for the General Program shall be made according to a formula which for the municipalities allocates proportional shares based on a 50 percent weight given to the area and a 50 percent weight given to the population within each municipalities' jurisdiction (excluding open water and wetland areas of San Francisco Bay) except as follows: The District is assigned a 1 percent cost and voting share; Zone 7 of the District is assigned a 1 percent cost and voting share; any municipality whose calculation would result in less than 1 percent by the formula and methods in Exhibit B is assigned a 1 percent cost and voting share; the County unincorporated area used in the formula will be limited to the area that is urbanized; and other minor reductions in percent cost and voting shares of municipalities located within the District and Zone 7 of the District as described in Exhibit B. The attached Exhibit B provides a copy of the formula and methods that are used to allocate costs. Each Parties' share of the General Program's costs have been calculated based on 2000 census figures and are set forth according to the percentages provided in Exhibit A. Cost shares will be recalculated based on updated information on population and area using the formula and methods in Exhibit B as specified in the bylaws. The budget allocation for the Individual Programs shall be made directly by the individual responsible parties.

6. This Agreement shall have a term of six (6) years from the first day of April 2002, subject to an additional automatic renewal for a five (5) year period in the absence of objection thereto made in writing by any Party 180 days in advance of the renewal date. The participation of any Party to this Agreement may be terminated

by a two-thirds affirmative vote of all allocated votes in any year in which the funds necessary for its continued involvement are not appropriated by its legislative body.

7. The PARTIES shall retain the ability to individually (or collectively) request permit modifications and initiate permit appeals for permit provisions to the extent that a provision affects an individual party or group of PARTIES.

8. This agreement may be amended from time to time by written agreement of the Parties' governing bodies representing two-thirds or more of all allocated votes as shown in Exhibit A.

9. Participation in this Agreement may be terminated by any Party for any reason after the Party complies with all of the conditions of termination. The conditions of termination include the following: the Party shall notify all of the other Parties to the Agreement 90 days prior to its termination in the Agreement, the Party shall obtain its own NPDES permit for urban runoff, and the Party shall have its name deleted as a co-permittee of the Parties' NPDES permit. Any expenses associated with terminating the Agreement including but not limited to filing for and obtaining the individual NPDES permit and the amendment of the Parties' NPDES permit will be solely the responsibility of the Party terminating its participation in the Agreement.

10. It is understood and agreed that, pursuant to Government Code 895.4, each Party ("indemnitor") shall, to the extent permitted by law, defend, indemnify and save harmless each other Party, and its officers and employees from all claims, suits or actions of every name, kind and description resulting from indemnitor's performance of this Agreement, excluding any injuries, death, damage or liability

resulting from the negligence or willful misconduct of the other Parties or their officers or employees.

EXHIBIT A

ALLOCATION OF VOTING SHARES AND GENERAL PROGRAM COSTS AMONG PARTIES

AGENCY	GENERAL PROGRAM COST SHARE PERCENTAGE	MANAGEMENT COMMITTEE VOTING SHARE
Alameda	3.99	3.99
Alameda County	11.96	11.96
Albany	1.00	1.00
Berkeley	5.12	5.12
Dublin	2.18	2.18
Emeryville	1.00	1.00
Fremont	15.96	15.96
Hayward	11.05	11.05
Livermore	5.43	5.43
Newark	2.72	2.72
Oakland	21.76	21.76
Piedmont	1.00	1.00
Pleasanton	5.02	5.02
San Leandro	4.89	4.89
Union City	4.92	4.92
District	1.00	1.00
Zone 7	1.00	1.00
Total	100.00	100.00

EXHIBIT B

FORMULAS FOR CALCULATING PERCENTAGE COST AND VOTING SHARES TO SUPPORT GENERAL PROGRAM

$$\text{Each Municipality's Percentage Cost Share} = \left[\frac{0.5 (\text{Area within Municipality})}{(\text{Total Area of All Municipalities})} + \frac{0.5 (\text{Population within Municipality})}{(\text{Total Population of All Municipalities})} \right] \times 100$$

Municipalities

If based on this calculation the share would be <1.00, assign a value of 1.00% to the municipality and recalculate the other municipalities allocation based on the remaining unallocated percentage.

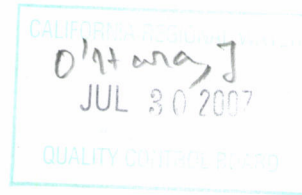
For Alameda County the population of the entire unincorporated portion of the county is used, but the area of the county used in the formula will be the urbanized area, which in 2003 is 50.2 square miles.

In addition, the cities of Dublin, Livermore and Pleasanton will have their shares calculated using the above formula reduced by the amount of Zone 7's share. This will be calculated by allocating a total of 1 percent reduction in proportion to these three cities' cost share using the formula above. Similarly, Alameda County and the cities of Fremont, Hayward, Newark, Oakland, San Leandro, and Union City will also have their shares reduced by a total of 1 percent (the Alameda County Flood Control and Water Conservation District's share) with the reductions allocated in proportion to these municipalities' shares using the formula above.

Flood Control District

The Alameda County Flood Control and Water Conservation District and Zone 7 of the District are each assigned a 1 percent cost and voting share.

The cost allocation percentage equals the voting share for each agency.



DATE: July 30, 2007

TO: ACCWP

FROM: G. Robert Hale

RE: Submittal of the Alameda Countywide Clean Water Program's Application for Re-Issuance of the Municipal Stormwater NPDES Permit

This memorandum acknowledges that the San Francisco Bay Regional Water Quality Control Board received by hand delivery each of the following:

1. Cover letter to Bruce Wolfe dated July 26, 2007 regarding the submittal of the Alameda Countywide Clean Water Program Application for Re-Issuance of the Municipal Stormwater NPDES Permit;
2. Completed Application/Report of Waste Discharge – Form 200;
3. ACCWP Fiscal Year 2007-2008 Work Plan and Budget;
4. ACCWP Memorandum of Understanding; and,
5. Loads Assessment Summary Report.

RECEIVED BY: S.S.

DATE:



DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On July 14, 2017, I served the:

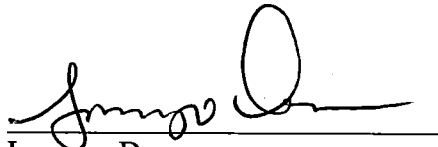
- **CRWQCB Response to Request for Reports of Waste Discharge filed July 13, 2017**

*California Regional Water Quality Control Board, San Francisco Bay Region,
Order No. R2-2009-0074, Provisions C.2.b, C.2.c, C.2.e, C.2.f, C.8.b, C.8.c, C.8.d,
C.8.e.i, ii and iv, C.8.f, C.8.g, C.10.a.i, ii, and iii, C.10.b, C.10.c, C.10.d, C.11.f, and
C.12.f, 10-TC-01, 10-TC-02, 10-TC-03, and 10-TC-05*

Cities of Alameda, Brisbane, and San Jose, and County of Santa Clara, Claimants

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on July 14, 2017 at Sacramento, California.



Lorenzo Duran
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 7/12/17

Claim Number: 10-TC-01, 10-TC-02, 10-TC-03, and 10-TC-05

Matter: California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2009-0074, Provisions C.2.b, C.2.c, C.2.e, C.2.f, C.8.b, C.8.c, C.8.d, C.8.e.i, ii, and iv, C.8.f, C.8.g, C.10.a.i, ii, iii, C.10.b, C.10.c, C.10.d, C.11.f, and C.12.f

Claimant: Cities of Alameda, Brisbane, and San Jose, and County of Santa Clara

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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