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## **IMPROVING WATER QUALITY FLOWING TO THE OCEAN AND BAY**

### **Issue Statement**

What are city and County agencies doing to improve the quality of water flowing into the ocean and the bay?

### **Summary**

Pollution must be kept out of creeks both to protect the health of people using beaches near the creek outfalls and to protect the fish and wildlife in the creeks. Streams can be polluted by oils and chemicals swept up by storm water runoff from roads, from pollutants poured into storm drains by individuals and companies, from sewer line breaks, and by manure from ranches.

To deal with the water pollution problem, the City/County Association of Governments (C/CAG), a partnership of San Mateo County and its cities, established the San Mateo County Stormwater Pollution Prevention Program (STOPPP). This program is responsible for sweeping roads, cleaning out drains, monitoring business dumping, informing the public about proper disposal of pollutants, conducting watershed studies, and recommending methods for pollution control.

The San Mateo County Environmental Health Services Division (EHSD) tests the quality of water at public beaches. Public beaches visited by more than 50,000 people annually must be tested weekly from April 1 to October 31 of each year. EHSD, aided by volunteers, carries out the tests, posts warnings, conducts publicity programs, and, as budgets permit, examines sources of beach pollution.

### **Conclusions**

The C/CAG STOPPP programs concerned with industrial and illicit discharge controls, construction controls, and assessment monitoring are important in improving the water quality of streams running to the ocean and bay. The mercury thermometer trade-in program is an effective way of preventing mercury run-off.

Although C/CAG has active publicity campaigns to educate the public about not dumping pollutants down storm drains, a large percentage of both business people and county residents still do not understand that the outflow of storm drains is not treated.

EHSD does an excellent job in testing the beaches and detecting bacterial pollution. However, insufficient funds prevent thorough follow-ups to determine sources once pollution has been measured entering the ocean.

## **Recommendations**

1. C/CAG should, by September 1, 2005, develop and implement a plan to increase the awareness of residents and businesses of the repercussions of dumping pollutants into storm drains.
2. The Board of Supervisors should provide funding for the Environmental Health Services Division for a staff person whose function is to determine pollution sources and to monitor ranches for compliance.
3. The Board of Supervisors should direct the Environmental Health Services Division to expand the focus of manure management plans to include an emphasis on decreasing creek pollution.
4. The Board of Supervisors should support a request from the Environmental Health Services Division to provide sufficient funding to inspect each septic system every three years.



## **IMPROVING WATER QUALITY FLOWING TO THE OCEAN AND BAY**

### **Issue**

What are city and County agencies doing to improve the quality of water flowing into the ocean and the bay?

### **Background**

The control of water pollution is a maze of Federal, State, and local agencies. The 1972 amendments to the Clean Water Act provide the statutory basis for the Environmental Protection Agency to develop and implement the National Pollutant Discharge Elimination System (NPDES) permit program, and the basic structure for regulating the discharge of pollutants from point sources to waters nationwide. The California State Water Resources Control Board controls water quality on the state level and nine Regional Water Quality Control Boards operate under the California Environmental Protection Agency. The San Francisco Regional Water Quality Control Board regulates surface water and groundwater quality in the San Francisco Bay Area.

The organizations addressing the quality of water flowing to the ocean and bay in San Mateo County are the member cities of the City/County Association of Governments (C/CAG), and the Environmental Health Services Division (EHSD) of the San Mateo County Health Services Agency. The County's Department of Public Works (DPW) and Planning and Building (Environmental Services) support the County's participation in C/CAG. The C/CAG partnership, with a budget of \$1.33 million, relies on each of the consortium members to implement local storm water pollution prevention and control activities for their local storm drain systems. C/CAG relies on each municipality to implement storm water pollution prevention and control activities for local storm drain systems. Charges on the city and county property tax bills provide a central revenue source for general program activities. C/CAG will derive additional funds from a \$4 increase in vehicle registration fees that the DMV will begin collecting in July 2005.

Under C/CAG, the Countywide Stormwater Pollution Prevention Program (STOPPP) developed a five-year Storm Water Management Plan (SWMP) to prevent and control storm water pollution. This plan, designed to satisfy the Federal Clean Water Act, aims to reduce pollutants to the maximum extent practicable, and to eliminate most types of non-storm water discharges to the storm drain system. The five major storm water pollution prevention and control components of the plan are: (1) municipal maintenance

(street sweeping and storm drain outlet cleaning), (2) industrial and illicit discharge controls, (3) public information and participation, (4) new development and construction controls, and 5) watershed assessment and monitoring.

## **Findings**

The Grand Jury interviewed C/CAG and EHSD staff and obtained information from the web pages and reports of the respective organizations and from budget documents. The Grand Jury findings are organized according to the following three categories: (1) discouraging and/or preventing dumping of pollutants by individuals and companies, (2) improving the quality and nature of storm water flowing into the ocean and bay, and (3) monitoring water bodies for pollutants and remediating as necessary.

### **Preventing Dumping of Pollutants**

A large amount of water quality degradation is due to citizens or businesses dumping pollutants down storm drains or onto the ground. Public education and business inspections are critical to decrease this type of pollution, and both are major components of the C/CAG Storm Water Management Plan.

The public information and participation component of the plan informs the public about the origins and transport of pollutants. It also focuses on the effect of pollutants on the local environments and the need to involve the public in the reduction of pollutants entering the storm drain system. During FY 2003-2004, the various outreach programs included activities to educate the public about storm water pollution and household hazardous wastes. This program reached 54 school assemblies for almost 10,000 students, and funded eight community action grants dealing with water pollution. In addition, county hardware stores distributed fact sheets to the public on the controlled and safe use of toxic pesticides.

Every five years, C/CAG conducts a telephone survey to measure the effectiveness of the public information and outreach activities. Of those surveyed in 2000, 60 percent of the businesses knew that water from storm drains is not treated and filtered. To help further reduce pollutants in waste water, businesses said they needed more education and training. County residents continued to rate “chemical waste from factories” as the most serious threat to the county’s waterways, although dumping into storm drains is actually the main culprit. Only 51% understood that storm drains flow untreated directly into creeks, while 43% viewed the government as primarily responsible for improving water quality. Publicity seems to have a positive effect, however, as 67% of those contacted had changed their behavior about the proper disposal of household chemicals and motor oil.

There are a number of ways to prevent discharge of pollutants into storm drains and water courses. One is to control the maintenance and related activities of city corporation yards and service facilities. In FY 2003-2004, to further education in these areas, STOPPP conducted maintenance workshops attended by 124 public works and park supervisors and field staff; facilitated parks and recreation Integrated Pest Management (IPM) meetings, and revised the performance standards for pest management, corporation

yards, and storm drain facilities. In addition, DPW's Recycle Works participates in public information activities for area schools, and its Watershed Protection Services trains staff, consultants, and contractors on water pollution prevention, water quality regulations, and endangered species protection. EHSD's Household Hazardous Waste program has an active public education campaign to encourage people to take household hazardous waste to 11 collection stations throughout the County, rather than disposing of wastes in landfills.

STOPPP's Industrial and Illicit Discharge Controls program is directed at prohibiting the release of illicit, non-storm-water discharges and controlling the discharge of storm water from commercial and industrial businesses. In FY 2003-2004, revised performance standards for industrial and commercial controls of illicit discharge resulted in 2137 inspections. Of these, 253 were in violation of municipal storm water regulations. The inspections represented a 65% increase compared to FY 1999-2000. Ninety-one percent of the violations have been corrected and the remaining ones are pending correction.

All of the above activities and programs have led to a more responsible use of pesticides and more careful disposal of pollutants. This reflects positively on the efforts of the cities and County of San Mateo to improve the quality of their water.

### **Improvement of Storm Water Quality**

Storm water runoff is the largest source of water pollution, and highways contribute to much of it. Roads accumulate pollutants including zinc and copper dust from brake pads, small toxic particles from tires, and oil and grease. Tons of these pollutants run into coastal waters, along with biological pathogens, such as animal and human waste. Regular sweeping of roads picks up materials that would normally be washed into streams during storms. Member cities of C/CAG keep records of street sweeping and maintenance of storm drains to evaluate the effectiveness and improve guidelines for prevention and response measures. In the last three years, frequency of street sweeping in the county increased 50% (from 26 to 39 times a year), and the resultant removal increased 80% (from 5 cubic yards to 9 cubic yards/mile). In the unincorporated portions of the County, the DPW Municipal Maintenance Program cleans streets and storm drains. County street sweeping is carried out monthly; cities without curbs and gutters do no sweeping.

The quality of the storm water flowing into streams can also be improved by using storm drains that dissipate the energy of the water flow, which, in turn, decreases erosion. In unincorporated San Mateo County, DPW replaces aging corrugated metal pipes with new pipes outfitted with erosion-reducing concrete headwalls. The DPW staff inspects county roads and drainage facilities in sensitive areas during and after significant storms to confirm the effectiveness of erosion controls, identifying areas needing water pollution controls, and evaluating roadway drainage.

Storm water runoff can be controlled in new building developments by requiring methods designed to slow water flow. Examples are settling basins that allow storm water to sink into the ground and grassy road swales that absorb storm water. The planning departments of C/CAG check for compliance to insure that any development of more than one acre must show no increase in runoff. In unincorporated portions of San Mateo

County, Planning and Building checks for applicant compliance with the County's Storm Water Pollution Control Program.

Other ways of preventing the introduction of pollutants is to monitor construction sites to keep debris from reaching streams. The DPW office responsible for new development and construction assists municipalities in procedures to control storm water pollution. It monitors sites in accordance with project permits to ensure that impacts to sensitive resources are avoided or minimized. DPW staff observes actual worksite conditions, conducts required turbidity testing, and tests runoff from sites that contain visible sediment. Engineers, inspectors and maintenance crews receive training on the design and installation of Best Management Practices and water quality regulations. Building inspectors also check all installed erosion and sediment control measures during scheduled inspections. Sensitive sites, such as steep slopes, are checked more frequently, especially after a major storm.

Because mercury is the pollutant of most concern in the creeks and bay, mercury thermometers should not be thrown into the trash. To prevent this, two mercury thermometer exchanges held in 18 locations resulted in 3,293 mercury thermometers being exchanged for digital ones. In addition, STOPPP developed a model policy for eliminating mercury use. EHSD also diverts other household hazardous waste from landfill by collecting such waste at 11 different locations throughout the county. An estimated 110,000 gallons of hazardous waste that would eventually find its way to water bodies were diverted in FY 2003-2004.

## **Watershed Assessment and Monitoring**

### **Assessment**

Watershed assessment under the Storm Water Management Plan determines which specific pollutants are adversely affecting County watersheds. In 2003, the California Superior Court ruled that STOPPP's 1999 NPDES permit omitted a sufficiently rigorous monitoring program. The 2003 Storm Water Management Plan added more data gathering detail to remedy this deficiency.

Initially, the plan calls for a pilot-scale implementation in selected watersheds and a rotating schedule for assessing watersheds. As part of the revised plan, STOPPP completed a two-year program of bioassessment and water quality testing in the San Pedro and the San Mateo Creek watersheds, and developed a plan for field monitoring of the Cordilleras Creek watershed in FY 2004-2005. In this first pilot-scale study of the San Pedro Creek watershed (Ref. 3, page 23), sections of the creek used by the public for swimming had elevated bacterial levels that exceeded standards for contact water recreation.

As part of its regional participation, STOPPP also provides funding and program representation to the (1) San Francisco Estuary Institute for monitoring contamination in the Estuary; (2) Surface Water Ambient Monitoring program that monitors surface water; and (3) Clean Estuary Partnership that facilitates efforts to improve water quality in San Francisco Bay.

## **EHSD Beach Monitoring**

The EHSD is responsible for regulating the sanitation, healthfulness, and safety of public beaches and ocean water-contact sports areas. California law sets the bacteriological standards and testing frequency for public beaches visited by more than 50,000 people annually. Public beaches must be tested weekly from April 1 to October 31 of each year.

The EHSD inspectors sample various recreational beach areas – the ocean, Bay, and lakes. The Surfrider Foundation of San Mateo County, a volunteer organization, collects 50% of the ocean water samples weekly for EHSD, thus freeing one-half of a staff person to do investigations. EHSD tests the water for several indicator organisms. If the contamination is more than ten times the state standard, EHSD totally closes the beaches, while if the contamination is between one to ten times the standard, then EHSD posts the beaches, advising against swimming or water contact.

While most of the San Mateo County beaches are clean in relation to indicator bacteria, the 2003-2004 Annual Beach Report Card prepared by the Heal the Bay, an environmental group, found that the worst San Mateo County beaches based on dry weather water quality were Fitzgerald Marine Reserve (Moss Beach), Pillar Point Harbor (Capistrano Beach), and Venice Beach (Half Moon Bay). The Pillar Point Harbor was bad enough to make the “Beach Bummer” list for all of California.

Pillar Point Harbor. Pillar Point Harbor is a small, enclosed body of water that has continuous storm water feeds. This beach area actually has better water quality than it did two years ago when EHSD had it posted for the entire year. At that time the bacteria ratios suggested that there was actually sewer contamination. When the Granada Sanitary District worked on the sewer main, the numbers dropped immediately and the water has remained free of sewage. Recent research shows that indicator bacteria propagate in the environment such as in the catch basins of the storm drain systems. The other and more likely pollution possibility is that the increased number of birds at Venice Beach is also occurring at Pillar Point and their fecal matter is the source of the detected bacteria. It should be noted that this site is not used by swimmers and does not meet the monitoring criteria established by the State. The EHSD feels that the beach should not be listed on the Heal the Bay Report Card at all and that sampling could be reduced or eliminated at this location.

Venice State Beach. Sources of contamination at this site include a nearby horse stable and the thousands of birds that inhabit the beach. The birds are not controllable under current regulations. After investigation, EHSD failed to find how contamination from the horse stables reach the creek except during wet weather events. EHSD staff continues to look into this issue.

Fitzgerald Marine Reserve. This reserve has 135,000 visitors a year with many of those school children on field trips. The creek must be crossed to gain access to the tide pools, and although this creek is frequently posted, there are far fewer postings than in the past. EHSD efforts to reduce the contamination of the creek that affects this site have for the most part been successful. In 1999, EHSD started at the headwaters five miles from the beach and removed several sources of contamination. Currently, water from San Vicente

Creek is being contaminated on the ocean side of Highway One, and EHSD will continue to work on this problem for the foreseeable future.

As a result of EHSD scrutiny of the stables on San Vicente Creek, which empties into the ocean at the Fitzgerald Marine Reserve, stable managers reduced fecal contamination of the creek. There are no enforceable state, federal, or local regulations that address this issue, but the managers have all been cooperative and proactive once they learned that they were contributing to a problem.

Current status. EHSD set up a partnership with the San Mateo County Surfriders in 1999, for help in collecting water samples, and in locating and eliminating sources of contamination. Until 1999, EHSD documented problems and notified the public of contamination; since then, EHSD started to find the causes and eliminate them.

The data show that Fitzgerald Marine reserve has demonstrated dramatic improvement; Pacifica State Beach had fewer postings this year than ever before, Capistrano Beach has improved but still has significant numbers of postings, and Venice State Beach has more postings than before.

The County procured two grants from the State to address the most significant health issues at a beach in San Mateo County. The first grant of \$500,000 funded Pacifica to work on San Pedro Creek, which has been transporting contamination to Linda Mar beach for decades. Subsequently, Pacifica completed at least two projects that have resulted in significant improvement in the water quality of San Pedro Creek and Pacifica State Beach. EHSD is currently working in conjunction with the San Pedro Creek Coalition to assist them with their efforts on San Pedro Creek.

The second grant for \$250,000 dealt with two problematic watersheds, Gazos Creek and Pilarcitos Creek/Frenchman's Creek. EHSD spent two years locating the sources of fecal contamination in the latter large watershed. They found and removed horse stable contamination on the upper part of Frenchman's Creek. Work on Gazos Creek started in June of this year.

The EHSD Land Use inspection staff regulates all domestic and agricultural water wells and springs. They also observe and approve individual sewage disposal systems. EHSD visited and mapped about 80% of the 5000 septic systems in the county. While EHSD's goal is to inspect all permitted septic tanks once every three years, current staffing levels would require seven years to inspect all septic systems. The problem rate is minor, although EHSD found two septic systems connected directly to creeks. Since the program is voluntary, EHSD may never inspect 100% of the systems.

## **Conclusions**

The C/CAG STOPPP programs in industrial and illicit discharge controls, construction controls, and watershed assessment and monitoring are important in improving the water quality of streams running to the ocean and bay.



C/CAG/STOPPP has significantly increased the number of business inspections in the last five years.

The C/CAG/STOPPP mercury thermometer trade-in program is an effective way of keeping mercury from migrating to creeks and the bay.

Although C/CAG has active publicity campaigns to educate the public about not dumping pollutants down storm drains, a large percentage of both business people and county residents still do not understand that the outflow from storm drains is not treated.

Through the C/CAG/STOPPP requirements in the construction permit process, cities appear to have proper controls to prevent storm water pollution from proposed new construction. This permitting process insures that modern engineering techniques of storm water handling will be used for larger parcels of land so that the water settles into the ground instead of directly running off into streams.

EHSD does an excellent job in testing the beaches and detecting bacterial pollution. However, there are insufficient funds to determine sources once pollution has been measured entering the ocean. As quoted in the San Francisco Examiner (August 10, 2004), "It's not enough to determine that the water is dirty. You need to do something about it."

Although informed horse ranch owners have been cooperative in preventing manure from polluting streams, there is no ongoing monitoring of these problem sites. Additionally, the county continues to take a reactive stance in dealing with the ranches despite the fact that horse manure is regularly found to be a source of pollution in county creeks.

Given the level of funding, EHSD is not able to inspect septic tanks every three years.

EHSD cooperates very well with volunteer organizations such as Surfriders and the San Pedro Creek Coalition.

EHSD will have a major challenge over the next several years in maintaining staffing and service levels in programs not directly funded by permit fees such as the Groundwater Protection and Household Hazardous Waste program.

## **Recommendations**

City/County Association of Governments should by September 1, 2005:

1. develop and implement a plan to increase public awareness both for county residents and businesses of the repercussions of dumping pollutants into storm drains.

The Board of Supervisors should:

2. provide funding for the Environmental Health Services Division for a staff person whose function is to determine pollution sources and to monitor ranches for compliance.
3. direct the Environmental Health Services Division to expand the focus of manure management plans to include an emphasis on decreasing creek pollution.
4. support a request from the Environmental Health Services Division to provide sufficient funding to inspect each septic system every three years.

## **GLOSSARY**

**BMP** - Best Management Practices, guidelines for controlling water pollution.

**C/CAG** - City/County Association of Governments, a consortium of the County and 20 cities in San Mateo County responsible for obtaining a water quality permit.

**CWA** - The Federal Clean Water Act, the statutory basis for the Environmental Protection Agency to regulate the discharge of pollutants into U.S. waters

**CEPA** - California Environmental Protection Agency oversees the nine regional water quality control boards.

**EHSD** - Environmental Health Services Division of the San Mateo County Health Services Agency is responsible for monitoring the public beaches.

**EPA** - Environmental Protection Agency, the Federal agency responsible for controlling water pollution under the Federal Clean Water Act.

**IPM** - Integrated Pest Management, activities leading to responsible use of pesticides and careful disposal of pollutants.

**NPDES** - National Pollutant Discharge Elimination System regulates the discharge of pollutants into U.S. waters.

**SFRWQCB** - San Francisco Regional Water Quality Control Board, one of nine regional boards under the California Environmental Protection Agency, to regulate Bay Area surface water and groundwater quality; issues NPDES permits.

**STOPPP** - Stormwater Pollution Prevention Program, a program of a consortium of the County and 20 cities in the County to satisfy the water quality (NPDES) permit required by the Federal government.

**Surfrider Foundation** - A volunteer organization devoted to clean beaches that collects water samples for EHSD.

**SWMP** - Stormwater Management Plan, a plan that describes what STOPPP will do to prevent and control storm water pollution.

**SWRCB** - State Water Resources Control Board controls state water quality.

## REFERENCES

1. San Mateo County Stormwater Pollution Prevention Program, Fiscal Year 2003/04, Vol. 1-5, August 5, 2004.

Volume 1 provides an executive summary and describes the five elements of the STOPPP program (1) Municipal Government Maintenance Activities, (2) Industrial and Illicit Discharge Controls, (3) Public Information and Participation, (4) New Development and Construction Controls, and (5) Watershed and Monitoring. Volumes 2-5 are reports by C/CAG members describing STOPPP activities.

2. Stormwater Management Plan – April 2004-June 2010, November 4, 2003.

This describes STOPPP's six-year plan to prevent and control stormwater pollution in San Mateo County. The plan serves as part of the basis of STOPPP's third National Pollutant Discharge Elimination System (NPDES) permit.

3. San Pedro Creek Watershed Pilot Assessment, Final Report, STOPPP, December 17, 2001.

STOPPP's pilot evaluation of the San Pedro Creek watershed as a participant in the the San Francisco Regional Water Quality Control Board's Regional Monitoring and Assessment Strategy. The objectives of the evaluation were to characterize the watershed condition, identify questions and data required to answer the questions, and develop a monitoring design and budget and staff requirements.

4. Characterization of Imperviousness and Creek Channel Modifications for Seventeen Watersheds in San Mateo County, STOPPP, January 1, 2002.

The main objective was to help municipal planners minimize the impacts of future development on creek resources in urban areas. Data for characterizing runoff flows, durations by land use, and channel modification will help establish areas that are exempt from requirements to limit increases in runoff flows and volumes.

5. San Mateo Countywide Stormwater Pollution Prevention Program 2001 Residential Public Opinion Survey, Final Summary Report, June 2001, Fairbank, Maslin, Maullin & Associates.

This report gives the results of a telephone survey of 400 randomly selected adult San Mateo County residents to assess their understanding of stormwater pollution issues.

6. Strategic Plan, State Water Resources Control Board and Regional Water Quality Control Board, November 15, 2001.

This 5-year plan, prepared by the state and regional control boards, sets the goals and performance indicators for controlling nonpoint source pollution, developing and implementing total maximum daily loads for impaired water bodies, and

reducing storm water pollution. The report also covers water quality monitoring and assessment, and compliance assurance and enforcement.

7. California Health and Safety Code, Section 115875-115915.

This code section defines requirements for periodic testing of public beaches adjacent to storm drains, with more than 50,000 annual visitors; establishes levels for types of pollution; and the posting of beaches if defined levels are exceeded.

8. Testing the Waters, A Guide to Water Quality at Vacation Beaches, National Resources Defense Council , August 2004.

This guide reports both closing and reopening dates for polluted California beaches, including the cause and source of the pollutions.

9. Annual Beach Report Card, 2003-2004, Heal the Bay, May 26, 2004.  
<http://www.healthebay.org>.

Heal the Bay, a volunteer organization, rates the California beaches, emphasizing the really bad ones with the “Beach Bummer” designation.

10. “Polluted paradise, Health warnings shot up in 2003 on county shores,” Justin Nyberg, The San Francisco Examiner, August 10, 2004.

This article reports that while there were fewer actual beach closures than last year, San Mateo County issued 167 advisories about unsafe bacteria levels at local beaches, a 24 % increase from 2002.

11. C/CAG web page <http://www.ccag.ca.gov>

This web site describes the activities of the City/County Association of Governments of San Mateo County. C/CAG STOPPP activities.  
<http://www.flowstobay.org>

12. Surfrider Foundation web page <http://www.surfrider.sanmateoco.org>

This web site describes the Surfrider Foundation, including its ocean sample collection activities carried out for the San Mateo County Department of Health.

# C/CAG

## CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park • Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

May 31, 2005

Honorable Norman J. Gatzert  
Judge of the Superior Court  
Hall of Justice  
400 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

### **Re: C/CAG Response to Grand Jury Report**

Dear Judge Gatzert,

The City/County Association of Governments of San Mateo County (C/CAG) and the San Mateo Countywide Stormwater Pollution Prevention Program (San Mateo STOPPP) appreciated the opportunity to meet with representatives of the Grand Jury and provide information to help understand the goals and objectives of the Stormwater Program.

We are in substantial agreement with the 2004-2005 Grand Jury Report as it relates to the Stormwater Program.

In reference to the recommendations in the Report, we have the following comments:

1. **“C/CAG should, by September 1, 2005, develop and implement a plan to increase the awareness of residents and businesses of the repercussions of dumping into storm drains.”**

This has been accomplished by submittal to the San Francisco Bay Regional Water Quality Control Board the **San Mateo STOPPP's Stormwater Management Plan for 2004- 2010**. This Plan contains the required elements of the NPDES Permit, administered by the Regional Water Quality Control Board, and the Public Outreach Element is but one of several. It is currently under review by the Regional Board staff.

We acknowledge the significance of public education in the accomplishment of our goals and the Regional Board made the following statement in its January 12, 2005, **Review of the Fiscal-Year 2003/2004 Annual Report for the San Mateo Countywide Stormwater Pollution Prevention Program**:

**“Public Information and Participation:** STOPPP's public outreach activities were in compliance. Depending on the size, each municipality is required to conduct at least three public outreach activities in a given year. All of STOPPP's permittees exceeded this minimum requirement during the reporting period. STOPPP has routinely initiated technical advisory committee and program subcommittee meetings, provided annual workshops and trainings for major program components. It has performed other public outreach activities to continuously educate program coordinators, businesses, contractors, inspectors, and the public. STOPPP also regularly maintains and updates its website to keep the public informed about the mission of the program.”

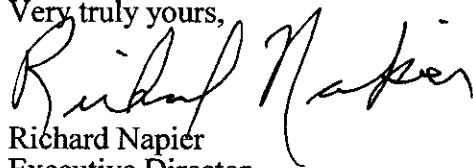
We commit to the continued effort to remain in compliance with the requirements of our NPDES Permits.

2. **The Board of Supervisors should provide funding for the Environmental Health Services Division for a staff person whose function is to determine pollution sources and to monitor ranches for compliance.**
3. **The Board of Supervisors should direct the Environmental Health Services Division to expand the focus of manure management plans to include an emphasis on decreasing creek pollution.**
4. **The Board of Supervisors should support a request from the Environmental Health Services Division to provide sufficient funding to inspect each septic system every three years.**

We respectfully call to your attention that the San Mateo STOPPP is a program of C/CAG and that it is established to coordinate the activities of the twenty cities and the County in their quest to remain in compliance with the NPDES requirements. C/CAG has no authority over any city or the County governing boards. Therefore, C/CAG cannot comply with recommendations #2., #3., or #4., directed to the San Mateo County Board of Supervisors.

Again, we appreciate the opportunity to comment on the 2004-2005 Grand Jury Report and we commit to communicating our Program goals and objectives to the public and to the employees of the participating municipalities.

Very truly yours,



Richard Napier  
Executive Director



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

County Manager's Office

**DATE:** June 7, 2005  
**BOARD MEETING DATE:** June 21, 2005  
**SPECIAL NOTICE:** None  
**VOTE REQUIRED:** None

**TO:** Honorable Board of Supervisors  
**FROM:** John L. Maltbie, County Manager  
**SUBJECT:** 2004-05 Grand Jury Response

**Recommendation**

Accept this report containing the County's responses to the following 2004-05 Grand Jury reports: Improving Water Quality Flowing to the Ocean and Bay, and the Burlingame Long-Term Care Center.

**VISION ALIGNMENT:**

**Commitment:** Responsive, effective and collaborative government.

**Goal 20:** Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

This activity contributes to the goal by ensuring that all Grand Jury findings and recommendations are thoroughly reviewed by the appropriate County departments and that, when appropriate, process improvements are made to improve the quality and efficiency of services provided to the public and other agencies.

**Discussion**

The County is mandated to respond to the Grand Jury within 90 days from the date that reports are filed with the County Clerk and Elected Officials are mandated to respond within 60 days. It is also the County's policy to provide periodic updates to the Board and the Grand Jury on the progress of past Grand Jury recommendations requiring ongoing or further action. To that end, attached are the County's responses to the Grand Jury's reports on Improving Water Quality Flowing to the Ocean and Bay issued March 7, 2005; and the Burlingame Long-Term Care Center issued April 18, 2005.



## **Burlingame Long-Term Care Center**

### **Findings:**

Staff is in general agreement with the Grand Jury's findings. The County and San Mateo Medical Center acquired a long-term lease for the Burlingame Long-Term Care facility (BLTC) because of the imminent threat of relocation of 250+ long-term patients. Patients at BLTC are 96% Medicare/Medi-Cal eligible. To prevent a complete shut-down that would have required residents to relocate many miles from their community, the County and landlord jointly decided to make improvements to the existing building and implement training, policies and procedures to ameliorate certain structural deficiencies.

The Grand Jury commends the staff for its training and performance in handling evacuations in an emergency. Staff have been trained and are competent to safely and effectively evacuate residents while working with the limitations of the building. The Grand Jury's positive remarks about the cleanliness of the facility and the professionalism and high morale of the employees were noted.

### **Recommendations:**

**1. The Board of Supervisors should immediately begin the search for better facilities for the long-term care of the patients at the Burlingame Long-Term Care Center. This facility, or its replacement facility, should have safe and efficient ingress and egress for non-ambulatory or disabled patients in both emergency and routine situations.**

**Response:** Disagree. The San Mateo Medical Center agrees that a better facility would be desirable; however, the feasibility of locating such a large facility (the largest in the County) is prohibitively expensive under current Medi-Cal reimbursement rates and is effectively not possible. The County's 20-year lease for the current facility is the only practical way these patients can be housed in San Mateo County. This recommendation will not be implemented.

# Improving Water Quality Flowing to the Ocean and Bay

## Findings:

### **1. Preventing Dumping of Pollutants**

Staff agrees with the finding. The majority of water quality degradation is due to citizens or businesses dumping pollutants down storm drains or onto the ground. Environmental Health will continue to educate the public on pollution prevention through outreach and onsite education of regulated businesses.

### **2. Improvement of Storm Water Quality**

Staff agrees with the finding. The quality of storm water can be improved by frequent street sweeping, using storm drains that dissipate the energy of the water flow to decrease erosion, designing slow water flow in new developments, preventing construction site debris from reaching streams, and providing a means for the public to properly dispose of household hazardous wastes. Environmental Health will continue to offer a means for proper disposal of household hazardous waste through collection events located throughout the County.

### **3. Watershed Assessment and Monitoring**

Staff agrees with the finding. Environmental Health samples various recreational beach areas and has had success in identifying and remediating sources of contaminants. Beach monitoring will be continued and, within existing resources, investigations will be conducted into possible sources of contamination.

## Recommendations:

**1. C/CAG should, by September 1, 2005, develop and implement a plan to increase the awareness of residents and businesses of the repercussions of dumping pollutants into storm drains.**

**Response:** A separate response to this recommendation was submitted by C/CAG on May 31, 2005.

**2. The Board of Supervisors should provide funding for the Environmental Health Services Division for a staff person whose function is to determine pollution sources and to monitor ranches for compliance.**

**Response:** This recommendation requires further analysis. The monitoring of pollution sources from ranches and agriculture endeavors occurs on a complaint response basis. Environmental Health staff will analyze the scope of work, cost, regulatory framework, and staffing needed to actively monitor pollution from all sources. It is anticipated that additional monitoring, over and above the current level, would be labor intensive and require additional staffing.

**3. The Board of Supervisors should direct the Environmental Health Services Division to expand the focus of manure management plans to include an the emphasis on decreasing creek pollution.**

**Response:** Concur. The County Planning and Building Department through the Zoning Ordinance requires owners of livestock to obtain a permit. A condition of the permit approval is a manure management plan, which is reviewed and approved by Environmental Health staff. Environmental Health staff will evaluate the existing process as it relates to preventing creek pollution from manure sources.

**4. The Board of Supervisors should support a request from the Environmental Health Services Division to provide sufficient funding to inspect each septic system every three years.**

**Response:** This recommendation requires further analysis. The re-inspection of septic systems has been in place for five years. The inspection program is an important component of the Land Use Program since the only other means for managing septic systems after installation is complaint-based. There are over 5,000 septic systems in the county. Currently, inspections are conducted on a periodic basis at a rate of approximately 700 per year; this roughly equates to an inspection every seven years. The Environmental Health Advisory Committee has prioritized the septic inspection system based on situations where potential failure could cause contamination; i.e., for septic systems where there is a well on the property. Environmental Health will evaluate the staffing required to inspect each septic system every three years.

Environmental Health staff will report back to the Board of Supervisors on the results of their findings in a future quarterly update.



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

County Manager's Office

**DATE:** August 3, 2005  
**BOARD MEETING DATE:** August 16, 2005  
**SPECIAL NOTICE:** None  
**VOTE REQUIRED:** None

**TO:** Honorable Board of Supervisors  
**FROM:** John L. Maltbie, County Manager  
**SUBJECT:** 2004-05 Grand Jury Response

**Recommendation**

Accept this report containing the County's response to the 2004-05 Grand Jury reports: San Mateo County Jails and Homeland Security in San Mateo County; and the County's update to the June 21<sup>st</sup> response on Improving Water Quality Flowing to the Ocean and Bay.

**VISION ALIGNMENT:**

**Commitment:** Responsive, effective and collaborative government.

**Goal 20:** Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

This activity contributes to the goal by ensuring that all Grand Jury findings and recommendations are thoroughly reviewed by the appropriate County departments and that, when appropriate, process improvements are made to improve the quality and efficiency of services provided to the public and other agencies.

**Discussion**

The County is mandated to respond to the Grand Jury within 90 days from the date that reports are filed with the County Clerk and Elected Officials are mandated to respond within 60 days. It is also the County's policy to provide periodic updates to the Board and the Grand Jury on the progress of past Grand Jury recommendations requiring ongoing or further action. To that end, attached are the County's responses to the Grand Jury's reports on Homeland Security in San Mateo County issued June 2, 2005 and San Mateo County Jails issued June 14, 2005. An update to the County's June 21, 2005 response to the Grand Jury on Improving Water Quality Flowing to the Ocean and Bay has also been included.

## **Improving Water Quality Flowing to the Ocean and Bay**

(Update to June 21, 2005 Response)

### **Recommendation:**

**2. The Board of Supervisors should provide funding for Environmental Health Services Division for a staff person whose function is to determine pollution sources and to monitor ranches for compliance.**

**Response:** The following has been or will be done:

A. The San Mateo County Farm Bureau, as part of a multi-county agreement with the Monterey Bay Marine Sanctuary, works with local farmers and ranchers to help monitor and mitigate any pollution that could reach the ocean. The Farm Bureau is our liaison with these farmers and ranchers. Division staff has requested that more emphasis be placed on bacterial pollution.

B. The San Mateo County Resource Conservation District has been awarded a grant to perform monitoring of water that runs off of farms and ranches in San Mateo County. The Division is an active partner in the proposed work, which includes bacterial monitoring.

C. One Division staff member addresses stream water quality. While his efforts have primarily focused on San Vicente Creek, the Division plans to investigate the source of pollution for every stream where pollution is significant and the source is unknown.

D. As issues and the need for compliance monitoring arise, the current weekly beach water sampling process can easily be modified to address those issues as necessary.

**3. Direct Environmental Health Services Division to expand the focus of manure management plans to include an emphasis on decreasing creek pollution.**

**Response:** This recommendation has been implemented as of July 1, 2005.

**4. The Board of Supervisors should support a request from the Environmental Health Services Division to provide sufficient funding to inspect each septic system every three years.**

**Response:** There are 5,267 permitted septic systems in San Mateo County. The current inspection program was developed with input from the Environmental Health Advisory Committee (EHAC). EHAC recommended that septic systems in sensitive watersheds be a priority for the inspection program. The rate of significant problems found during triennial inspections is slightly above 1% in the priority areas and approaches 0% in the non-priority areas. Based on this information, present staffing levels are adequate in addressing the septic systems within sensitive watersheds.

In addition to our inspection program, septic systems are also evaluated on a complaint basis and at the time of property sale; these evaluations increase the number of actual inspections that take place throughout the county.