

MEMORANDUM

February 22, 2007

TO: MEMBERS, PORT COMMISSION
Hon. Ann Lazarus, President
Hon. Kimberly Brandon, Vice President
Hon. Rodney Fong
Hon. Michael Hardeman

FROM: Monique Moyer
Executive Director

SUBJECT: Stormwater Design Guidelines for New Development and Redevelopment in San Francisco

DIRECTOR'S RECOMMENDATION: INFORMATIONAL ONLY – NO ACTION REQUIRED

INTRODUCTION

Stormwater management is a critical municipal responsibility which has a direct impact on public health and safety, surface water quality, and wildlife habitat. Like many California municipal agencies, the Port of San Francisco administers a Stormwater Management Program developed in accordance with the Federal Clean Water Act and a State of California National Pollution Discharge Elimination (NPDES) Permit.

Among the specific obligations set forth in state and federal regulation, operators of municipal separate storm sewer systems are required to develop, implement and enforce a program to reduce pollutants in storm water runoff from new development and redevelopment projects. These are called "post-construction runoff controls". Port staff has partnered with the San Francisco Public Utilities Commission to develop a regulatory guidance document which provides the first step towards fulfilling this requirement.

BACKGROUND

Most stormwater in the City and County of San Francisco is collected in a combined storm and sanitary sewer system and treated at a water pollution control facility prior to discharge to San Francisco Bay or the Pacific Ocean. In contrast, stormwater runoff within the Port's jurisdiction flows through a "separated" storm sewer system and discharges directly to the Bay. Recent

amendments to the Federal Clean Water Act require municipal agencies operating separate stormwater collection systems to take specific measures to reduce pollution in stormwater runoff, including the development of a program to reduce pollution in runoff from new development and redevelopment projects. Post-construction stormwater management in areas undergoing new development or redevelopment is necessary because runoff from these areas has been shown to significantly affect receiving waters such as San Francisco Bay. As stormwater runoff flows over areas altered by development, it picks up potentially harmful sediment, and chemicals such as oil and grease, pesticides, heavy metals, and nutrients (e.g., nitrogen and phosphorus). These pollutants can degrade water quality and negatively effect commercial and recreational uses.

Regulations for new development and redevelopment were promulgated by the federal government with the understanding that it is far more cost effective to intercept and/or minimize pollutants before entering the stormwater collection system rather than to treat pollutants after entering the system. Following this regulatory guidance, municipalities must meet the following requirements:

- Develop and implement strategies for the control of pollutants in post-construction stormwater runoff that include a combination of structural and/or non-structural Best Management Practices (BMPs);
- Adopt and enforce an ordinance or other regulatory mechanism requiring the implementation of post-construction runoff controls to the extent allowable under law;
- Ensure adequate long-term operation and maintenance of post-construction stormwater runoff controls;
- Specify an appropriate set of BMPs for use by project proponents.

The State Water Resources Control Board (SWRCB) approved the Port's Stormwater Management Program in June 2004. The approved SWMP includes a workplan and schedule to achieve compliance with the requirements cited above. The first and last of these requirements will be addressed by developing a Stormwater Design Guidelines Manual for New Development and Redevelopment ("Stormwater Design Guidelines"). Once the Stormwater Design Guidelines are complete, the Port will codify them as a requirement for new construction efforts along the waterfront. Port staff has discussed the scope of work for the proposed effort with state regulators, who support this approach.

The Port is already implementing an ad-hoc post-construction control program for portions of the Southern Waterfront in response to mitigation measures defined through the Southern Waterfront Supplemental Environmental Impact Report (SEIR) completed in 2001. Structural BMPs implemented in accordance with the SEIR mitigation requirements include stormwater harvesting and reuse at the recently constructed Bode Concrete and CEMEX concrete batch plant facilities. Bode's efforts recently yielded an Outstanding Achievement award from the California Water Environment Association in recognition of innovative pollution prevention practice (see Exhibit I). Through the Stormwater Design Guidelines effort Port staff hopes to duplicate Bode's recent success while at the same time furthering Mayor Gavin Newsom's policy goals for a greener, sustainable San Francisco.

Coordination with the San Francisco Public Utilities Commission

Local jurisdiction over the separate storm sewer system in San Francisco is divided between the Port and the SFPUC, though at this time the Port controls a much larger separately sewered drainage area. Because land use and activities of concern associated with each storm sewer system are quite different (the Port being largely maritime, the SFPUC largely parklands), each agency administers its own Stormwater Management Program. However, there are areas of mutual concern for both programs, and in 2004 the two agencies entered into a Memorandum of Understanding establishing a basis for coordination for stormwater management and other water quality related issues. Because of the need to articulate consistent policy City-wide for the post-construction control program, the Port and SFPUC are partnering on the Stormwater Design Guidelines effort.

Low Impact Development

The Stormwater Design Guidelines will promote a “Low Impact Development” approach for stormwater management. Low Impact Development (LID) has emerged as a highly effective and attractive approach to controlling stormwater pollution, as well as a means to integrate green and sustainable development practices in urbanized communities throughout the country.

The LID approach is simple and effective. Instead of large investments in complex and costly engineered solutions, LID strategies integrate green space, native landscaping, natural hydrologic functions and various other techniques to generate less runoff from developed land. LID is economical. LID strategies cost less than conventional stormwater management systems to install and maintain, in part because of fewer infrastructure requirements.

The LID approach will integrate with other City policy development efforts, including the SFPUC Sewer System Master Plan and the San Francisco Planning Department’s “Better Streets” program. Port staff is currently exploring use of LID in a pilot study at the recently completed Amador Street Extension, where a system of vegetated swales will be used to convey and treat storm water runoff from the road and adjacent parcels before it discharges to the Bay. This project and related tenant improvements at Bode Concrete and CEMEX place the Port in the forefront of the City’s sustainable development efforts.

Public Outreach

State regulation requires that administering agencies provide members of the public the opportunity to participate in and provide comment on the development of Stormwater Management Programs. Because the Stormwater Design Guidelines effort affects the interests of a broad range of stakeholders, including developers, contractors, open space advocates and environmentalists, the Port and SFPUC have developed an extensive public outreach effort. The first open house for the stormwater design guidelines effort is scheduled the evening of March 8, 2007 at 6 P.M. at the Port’s Pier 1 offices. Members of the Port Commission will be provided with copies of all outreach collateral. Port staff currently anticipates a total of three public meetings between now and Summer 2007 in support of the Stormwater Design Guidelines process, with additional presentations provided to Port waterfront advisory committees and San Francisco public policy groups such as SPUR (San Francisco Planning and Urban Research

Association). See Exhibit II for a copy of the outreach flyer inviting participation in the first public meeting.

FUNDING

The Stormwater Design Guidelines project is a collaborative effort between the Port and the SFPUC, with the work to be performed through the Port's Environmental As-Needed Consultant contracts. To date, \$200,000 has been encumbered for the project, with the SFPUC work ordering \$100,000 to the Port to pay for its portion of the work. The Port is funding its portion of the work through its annual budget appropriation for the Port Stormwater Management Program.

SCHEDULE

The schedule for the Storm Water Design Guidelines project derives from the Stormwater Management Program workplan approved by the State Water Resources Control Board in 2004. Milestones for program development are as follows:

Scope and Contract:	November through January 2006
Public Meetings/Design Charrettes:	March through June 2007
Issue Draft Design Guidelines:	July 2007
Solicit Public Comment on Draft Guidelines:	July through August 2007
Issue Final Design Guidelines:	September 2007
Port and SFPUC Commission Approval:	October 2007

SUMMARY

In response to federal and state mandates, Port and SFPUC staff have initiated an effort to establish formal design guidelines for the minimization of stormwater pollution associated with new development and redevelopment in separately sewered areas of San Francisco. Upon completion of this effort later this year, Port staff will return to the Port Commission to propose incorporating the Stormwater Design Guidelines by reference into the Port Building Code and/or the San Francisco Public Works Code.

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