



September 30, 2016

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

Subject: **City of Brisbane**
FY 2015/16 Annual Report

Dear Mr. Wolfe:

This letter and Annual Report with attachments is submitted by **City of Brisbane** pursuant to Permit Provision C.17.a of the Municipal Regional Stormwater NPDES Permit (MRP), Order R2-2015-0049, NPDES Permit No CAS612008 issued by the San Francisco Bay Regional Water Quality Control Board. The Annual Report provides documentation of compliance activities conducted during FY 2015/16 and related accomplishments.

Please contact me at 415.508.2131 regarding any questions or concerns.

Very truly yours,

A handwritten signature in blue ink that reads "Randy L. Breault".

Randy L. Breault, P.E.
Director of Public Works/City Engineer

Encl: Certification Statement
FY 2015/2016 Annual Report
Appendix

**CITY OF BRISBANE
FY 2015/16 ANNUAL REPORT**

Certification Statement

"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate 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 for knowing violations."

Signature of Duly Authorized Representative:



Randy L. Breault, P.E.
Director of Public Works/City Engineer

September 30, 2016

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Section 1 - Permittee Information

| Background Information | | | |
|--|-----------------------------|--------------------|--|
| Permittee Name: | City of Brisbane | | |
| Population: | 4,282 (2010 census) | | |
| NPDES Permit No.: | CAS612008 | | |
| Order Number: | R2-2015-0049 | | |
| Reporting Time Period (month/year): | July 2015 through June 2016 | | |
| Name of the Responsible Authority: | Randy Breault | Title: | Director of Public Works/City Engineer |
| Mailing Address: | 50 Park Place | | |
| City: | Brisbane | Zip Code: | 94005 |
| | | County: | San Mateo |
| Telephone Number: | 415.508.2131 | Fax Number: | 415.467.5547 |
| E-mail Address: | rbreault@ci.brisbane.ca.us | | |
| Name of the Designated Stormwater Management Program Contact (if different from above): | Keegan Black | Title: | Maintenance Compliance Manager |
| Department: | Public Works | | |
| Mailing Address: | 50 Park Place | | |
| City: | Brisbane | Zip Code: | 94005 |
| | | County: | San Mateo |
| Telephone Number: | 415.508.2130 | Fax Number: | 415.467.5547 |
| E-mail Address: | kblack@ci.brisbane.ca.us | | |

Section 2 - Provision C.2 Reporting Municipal Operations

Program Highlights and Evaluation

Highlight/summarize activities for reporting year:

Summary:

The city continues to conduct yearly inspections of its one corporation yard per our FY10-11 Stormwater Pollution Prevention Plan. City staff continues to participate in the Countywide Program’s Municipal Maintenance subcommittee on an ongoing basis. City staff participated in, and presented, at the trash full capture device O&M inspection and municipal maintenance data management roundtable on June 16, 2016. The City does not own or operate any stormwater pump stations or rural roads.

Refer to the C.2 Municipal Operations section of the Program’s FY 15-16 Annual Report for a description of activities implemented at the countywide and/or regional level.

C.2.a. ► Street and Road Repair and Maintenance

Place a **Y** in the boxes next to activities where applicable BMPs were implemented. If not applicable, type **NA** in the box and provide an explanation in the comments section below. Place an **N** in the boxes next to activities where applicable BMPs were not implemented for one or more of these activities during the reporting fiscal year, then in the comments section below provide an explanation of when BMPs were not implemented and the corrective actions taken.

| | |
|----------|--|
| Y | Control of debris and waste materials during road and parking lot installation, repaving or repair maintenance activities from polluting stormwater |
| Y | Control of concrete slurry and wastewater, asphalt, pavement cutting, and other street and road maintenance materials and wastewater from discharging to storm drains from work sites. |
| Y | Sweeping and/or vacuuming and other dry methods to remove debris, concrete, or sediment residues from work sites upon completion of work. |

Comments:

The City primarily engages contractors for road and parking lot maintenance, repaving, or repairs. Stormwater pollution prevention requirements are included in contract specifications for projects put out to bid. For small projects that are not put out to bid, direction is provided to the contractor in the field. Oversight and enforcement is performed by the Public Works Inspector during regular field activities. Periodically, the Inspector may find BMPs requiring improvement or cases where BMPs are not properly implemented. These issues are addressed in the field by the Inspector consistent with the City’s Enforcement Response Plan.

C.2.b. ► Sidewalk/Plaza Maintenance and Pavement Washing

Place a **Y** in the boxes next to activities where applicable BMPs were implemented. If not applicable, type **NA** in the box and provide an explanation in the comments section below. Place an **N** in the boxes next to activities where applicable BMPs were not implemented for one or more of these activities during the reporting fiscal year, then in the comments section below provide an explanation of when BMPs were not implemented and the corrective actions taken.

| | |
|----------|---|
| Y | Control of wash water from pavement washing, mobile cleaning, pressure wash operations at parking lots, garages, trash areas, gas station fueling areas, and sidewalk and plaza cleaning activities from polluting stormwater |
| Y | Implementation of the BASMAA Mobile Surface Cleaner Program BMPs |

Comments:

The City periodically uses BASMAA-certified mobile cleaner to perform sidewalk washing. City Staff does not conduct pavement washing.

C.2.c. ► Bridge and Structure Maintenance and Graffiti Removal

Place a **Y** in the boxes next to activities where applicable BMPs were implemented. If not applicable, type **NA** in the box and provide an explanation in the comments section below. Place an **N** in the boxes next to activities where applicable BMPs were not implemented for one or more of these activities during the reporting fiscal year, then in the comments section below provide an explanation of when BMPs were not implemented and the corrective actions taken.

| | |
|----------|--|
| Y | Control of discharges from bridge and structural maintenance activities directly over water or into storm drains |
| Y | Control of discharges from graffiti removal activities |
| Y | Proper disposal for wastes generated from bridge and structure maintenance and graffiti removal activities |
| Y | Implementation of the BASMAA Mobile Surface Cleaner Program BMPs for graffiti removal |
| Y | Employee training on proper capture and disposal methods for wastes generated from bridge and structural maintenance and graffiti removal activities. |
| Y | Contract specifications requiring proper capture and disposal methods for wastes generated from bridge and structural maintenance and graffiti removal activities. |

Comments:

The City has two bridges over water ways that could discharge into storm drains, but has not performed any maintenance activities on these structures in the last year. Graffiti is typically removed by painting over affected areas, thereby eliminating debris or cleaning compound waste discharge. Graffiti removal is conducted under contract by San Mateo County Public Works Staff; as this agency is a co-permittee of the MRP, they are required to comply with these provisions.

The City also operates a Marina following The Clean Marinas program, which is an ongoing endeavor, by a marina industry alliance of private marina owners, government marina operators and yacht clubs, determined to provide environmentally clean facilities and protect the State's coastal and inland waters from pollution through implementation of best management practices. Stormwater quality is improved by prohibiting vehicle and vessel maintenance and washing in marina and yacht club parking lots, thus preventing the discharge of oil, grease and soil

discharge into the storm drains. Additionally, all chemicals stored onshore at the marina are required to be stored indoors or in secondary containment to prevent accidental spills due to leakage or other unintended discharge. The certification is awarded by the non-profit organization, *Clean Marina Program*, based in San Diego, CA. Volunteers from all over the state participate in the review and certification process. The Brisbane Marina was certified as a Clean Marina on July 28, 2010.

C.2.e. ► Rural Public Works Construction and Maintenance

Does your municipality own/maintain rural¹ roads: Yes No

If your answer is **No** then skip to **C.2.f.**

Place a **Y** in the boxes next to activities where applicable BMPs were implemented. If not applicable, type **NA** in the box and provide an explanation in the comments section below. Place an **N** in the boxes next to activities where applicable BMPs were not implemented for one or more of these activities during the reporting fiscal year, then in the comments section below provide an explanation of when BMPs were not implemented and the corrective actions taken.

| | |
|---|--|
| N/A | Control of road-related erosion and sediment transport from road design, construction, maintenance, and repairs in rural areas |
| N/A | Identification and prioritization of rural road maintenance based on soil erosion potential, slope steepness, and stream habitat resources |
| N/A | No impact to creek functions including migratory fish passage during construction of roads and culverts |
| N/A | Inspection of rural roads for structural integrity and prevention of impact on water quality |
| N/A | Maintenance of rural roads adjacent to streams and riparian habitat to reduce erosion, replace damaging shotgun culverts and excessive erosion |
| N/A | Re-grading of unpaved rural roads to slope outward where consistent with road engineering safety standards, and installation of water bars as appropriate |
| N/A | Inclusion of measures to reduce erosion, provide fish passage, and maintain natural stream geomorphology when replacing culverts or design of new culverts or bridge crossings |
| Comments including listing increased maintenance in priority areas: N/A | |

¹Rural means any watershed or portion thereof that is developed with large lot home-sites, such as one acre or larger, or with primarily agricultural, grazing or open space uses.

C.2.f. ► Corporation Yard BMP Implementation

Place an **X** in the boxes below that apply to your corporations yard(s):

- N/A** We do not have a corporation yard
- N/A** Our corporation yard is a filed NOI facility and regulated by the California State Industrial Stormwater NPDES General Permit
- X** We have a **Stormwater Pollution Prevention Plan (SWPPP)** for the Corporation Yard(s)

Place an **X** in the boxes below next to implemented SWPPP BMPs to indicate that these BMPs were implemented in applicable instances. If not applicable, type **NA** in the box. If one or more of the BMPs were not adequately implemented during the reporting fiscal year then indicate so and explain in the comments section below:

- X** Control of pollutant discharges to storm drains such as wash waters from cleaning vehicles and equipment
- X** Routine inspection prior to the rainy seasons of corporation yard(s) to ensure non-stormwater discharges have not entered the storm drain system
- X** Containment of all vehicle and equipment wash areas through plumbing to sanitary or another collection method
- X** Use of dry cleanup methods when cleaning debris and spills from corporation yard(s) or collection of all wash water and disposing of wash water to sanitary or other location where it does not impact surface or groundwater when wet cleanup methods are used
- X** Cover and/or berm outdoor storage areas containing waste pollutants

Comments:
The City developed a SWPPP for its single corporation yard in accordance with the permit requirements. The city has a covered wash rack that is plumbed to the sanitary sewer. Vehicle maintenance is performed indoors or under cover. Raw materials are stored under cover or bermed to contain pollutants.
The City reported an inspection for the Corporation yard June 2015 for FY 14-15, the March 2016 inspection is reported below, and we have already conducted a September 2016 inspection for FY 16-17. Corporation yard inspections will continue to be conducted in September.

If you have a corporation yard(s) that is not an NOI facility, complete the following table for inspection results for your corporation yard(s) or attach a summary including the following information:

| Corporation Yard Name | Inspection Date (1x/year required) | Inspection Findings/Results | Follow-up Actions |
|--|---------------------------------------|--|--|
| Brisbane Corporation Yard (City Staff Inspection) | 3/12/16 | Spills pile uncovered with broken asphalt, used absorbent stored outside; some with standing water, Rail road ties outside and uncovered, used absorbent uncovered under Vactor, batteries located outside and uncovered, Genset engine outside and uncovered, coolant containers outside and uncovered. | All items to be covered, cleaned up and/or moved inside. |
| Brisbane Corporation Yard (City Staff Inspection) | 3/25/16 | Follow up from inspection on 3/12/16: Spills pile is covered with visqueen and straw wattle is placed across the front of | No follow up action required. |

| | | | |
|--|--|--|--|
| | | the bin. Used absorbent, railroad ties and batteries have been recycled. Towable Genset has been covered with a tarp. Coolant containers have been moved inside maintenance shed. | |
|--|--|--|--|

Section 3 - Provision C.3 Reporting New Development and Redevelopment

**C.3.a. ► New Development and Redevelopment Performance
Standard Implementation Summary Report**

(For FY 15-16 Annual Report only) Provide a brief summary of the methods of implementation of Provisions C.3.a.i.(1)-(8).

Summary:

- **The City of Brisbane is a General Law city and has the legal authority to implement C.3;**
- **The City of Brisbane uses its development review through discretionary planning applications, such as use permits and design permits, and its Building Permit permitting procedures, including generally following the Model Conditions of Approval developed by SMCWPPP;**
- **The City provides guidance documents to project applicants and standard CEQA thresholds of significance to evaluate water quality effects and identify mitigation measures in environmental reviews, including SMCWPPP CEQA guidance**
- **The City provides C.3 training for appropriate departments, including Planning and Public Works staff through the County-wide program's Annual C.3 New Development Workshop;**
- **The City has outreach/education efforts to staff, developers, contractors, construction site operators and owner/builders, including distribution and posting of SMCWPPP materials regarding C.3 requirements, including:**
 - i. **Fact sheet entitled, "Changes to Stormwater Quality Control Requirements – Information for Developers, Builders and Project Applicants", revised July 2016.**
 - ii. **Updated fact sheet entitled, "Hydromodification Management Requirements: what Developers, Builders and Project Applicants Need to Know", revised July 2016.**
 - iii. **Fact sheet entitled, "Requirements for Road Projects in the Municipal Regional Permit", revised July 2016**
 - iv. **Fact sheet entitled, "Notice to Project Applicants: Update on Stormwater Treatment Requirements for New Developments and Redevelopment Projects", revised July 2016.**
- **The City of Brisbane encourages site design measures at unregulated projects subject to Planning/Building Department review by requiring all applicants that will have exterior improvements that would add or modify impervious surface to complete the "Stormwater Checklist for Small Projects" form and include site design measure where applicable;**
- **The City of Brisbane encourages source control measures at unregulated projects subject to Planning/Building Department review by providing requiring all applicants that will have exterior improvements that would add or modify impervious surface to complete the Small Projects form and include source control measures, as appropriate;**
- **The City of Brisbane has updated its Circulation Element to provide for Green Streets, Integrating water quality/watershed protection with roadway/right-of-way projects. The updated Circulation Element was adopted by City Council on September 17, 2015.**

C.3.b.iv.(2) ► Regulated Projects Reporting

Fill in attached table C.3.b.iv.(2) or attach your own table including the same information.

The City of Brisbane did not approve any Regulated Projects during the reporting period (fiscal year).

C.3.c.ii ► Design Specifications for Pervious Pavement Systems

(For FY 2015-16 Annual Report only). Submit design specifications for pervious pavement systems that have been developed and adopted on a regional or countywide basis. If design specifications have been adopted and are contained in a Countywide stormwater handbook, include a reference to the handbook.

Summary:

The City of Brisbane is following the design specifications included in the SMCWPPP C.3 Stormwater Technical Guidance, revised draft June 2016.

C.3.e.iv. ► Alternative or In-Lieu Compliance with Provision C.3.c.

Is your agency choosing to require 100% LID treatment onsite for all Regulated Projects and not allow alternative compliance under Provision C.3.e.?

| | | | |
|--|-----|---|----|
| | Yes | X | No |
|--|-----|---|----|

Comments (optional): N/A

C.3.e.v ► Special Projects Reporting

| | | | | |
|---|--|-----|---|----|
| 1. In FY 2015-16, has your agency received, but not yet granted final discretionary approval of, a development permit application for a project that has been identified as a potential Special Project based on criteria listed in MRP Provision C.3.e.ii(2) for any of the three categories of Special Projects (Categories A, B or C)? | | Yes | X | No |
| 2. In FY 2015-16, has your agency granted final discretionary approval to a Special Project? If yes, include the project in both the C.3.b.iv.(2) Table, and the C.3.e.v. Table. | | Yes | X | No |
| If you answered "Yes" to either question, 1) Complete Table C.3.e.v. 2) Attach narrative discussion of 100% LID Feasibility or Infeasibility for each project. No applications were received or granted for potential special projects. | | | | |

C.3.h.v.(2) ► Reporting Newly Installed Stormwater Treatment Systems and HM Controls (Optional)

| |
|--|
| On an annual basis, before the wet season, provide a list of newly installed (installed within the reporting year) stormwater treatment systems and HM controls to the local mosquito and vector control agency and the Water Board. The list shall include the facility locations and a description of the stormwater treatment measures and HM controls installed. |
| No stormwater treatment systems or HM controls were installed during the reporting period. |

C.3.h.v.(3)(a) –(c) and (f) ► Installed Stormwater Treatment Systems Operation and Maintenance Verification Inspection Program Reporting

| | |
|---|--------------------------|
| Option 1 – Reporting Site Inspections | Number/Percentage |
| Total number of Regulated Projects (including offsite projects, and Regional Projects) in your agency's database or tabular format at the end of the previous fiscal year (FY14-15) | 2 |

| | |
|---|--------------------------|
| Total number of Regulated Projects (including offsite projects, and Regional Projects) in your agency's database or tabular format at the end of the reporting period (FY 15-16) | 2 |
| Total number of Regulated Projects (including offsite projects, and Regional Projects) for which O&M verification inspections were conducted during the reporting period (FY 15-16) | 1 |
| Percentage of the total number of Regulated Projects (including offsite projects, and Regional Projects) inspected during the reporting period (FY 15-16) | 50%¹ |
| Option 2 – Reporting Stormwater Treatment System Inspections | N/A |
| Total number of stormwater treatment and HM systems in your agency's database or tabular format at the end of the previous fiscal year (FY 14-15) | N/A |
| Total number of stormwater treatment systems in your agency's database or tabular format at the end of the reporting period (FY 15-16) | N/A |
| Total number of stormwater treatment and HM systems inspected in the reporting period (FY 15-16) | N/A |
| Percentage of stormwater treatment and HM systems inspected in the reporting period (FY 15-16) | %² N/A |

C.3.h.v.(3)(d)-(e) ► Installed Stormwater Treatment Systems Operation and Maintenance Verification Inspection Program Reporting

Provide a discussion of the inspection findings for the year and any common problems encountered with various types of treatment systems and/or HM controls. This discussion should include a general comparison to the inspection findings from the previous year.

Summary:

Staff found that the stormwater treatment systems inspected, four flow-through planter systems on one site, were in generally good condition. There was some minor degradation in the plantings and minor amounts of litter accumulation, which was corrected. There were no issues reported during the previous year.

¹ Based on the number of Regulated Projects in the database or tabular format at the end of the previous fiscal year (FY 14-15), per MRP Provision C.3.h.ii.(6)(b).

² Based on the number of stormwater treatment and HM systems database or tabular format at the end of the previous fiscal year (FY 14-15), per MRP Provision C.3.h.ii.(6)(b).

Provide a discussion of the effectiveness of the O&M Program and any proposed changes to improve the O&M Program (e.g., changes in prioritization plan or frequency of O&M inspections, other changes to improve effectiveness program).

Summary:

Staff has found that the O&M program is sufficient. Given only two sites with 5 regulated treatment units in Brisbane and based on a limited number of new sites in the foreseeable future, there are no changes to the prioritization anticipated. Staff will continue to target rainfall events for inspections, when feasible.

C.3.i. ► Required Site Design Measures for Small Projects and Detached Single Family Home Projects

On an annual basis, discuss the implementation of the requirements of Provision C.3.i, including ordinance revisions, permit conditions, development of standard specifications and/or guidance materials, and staff training.

Summary:

BASMAA prepared standard specifications in fact sheets regarding the site design measures listed in Provision C.3.i, as a resource for Permittees. Brisbane has instituted local procedures and forms/checklists to require all applicable projects approved after December 1, 2012 to implement at least one of the site design measures listed in Provision C.3.i. We are using the following BASMAA products for C.3.i implementations:

- **BASMAA's site design fact sheets**
- **The SMCWPPP Stormwater Checklist for Small Projects**
- **C.3.i guidance provided by the Countywide program**

C.3.j.i.v.(d) ► Green Infrastructure Outreach

On an annual basis, provide a summary of your agency's outreach and education efforts pertaining to Green Infrastructure planning and implementation.

Summary:

City Planning Dept. and Public Works Dept. staff attended training provided by BASMAA on Green Infrastructure requirements, on June 14, 2016, as well as training offered during the preceding fiscal year.

As part of the City's update of its Circulation Element during the fall of 2015, planning staff used the Water Board's then proposed Green Infrastructure provisions for discussions with the Planning Commission and City Council regarding the upcoming Green Infrastructure requirements. On September 17, 2015, City Council adopted Green Streets policies as part of the updated Circulation Element, as a first step in laying the foundation for Green Infrastructure planning.

The City has also been participating in the County-wide Green Infrastructure Committee to help in the development of the Green Infrastructure frame-work plan.

C.3.j.ii.(2) ▶ Early Implementation of Green Infrastructure Projects

On an annual basis, submit a list of green infrastructure projects, public and private, that are already planned for implementation during the permit term and infrastructure projects planned for implementation during the permit term that have potential for green infrastructure measures. Include the following information:

- A summary of planning or implementation status for each public and private green infrastructure project that is not also a Regulated Project as defined in Provision C.3.b.ii. (see C.3.j.ii.(2) Table B - Planned Green Infrastructure Projects).
- A summary of how each public infrastructure project with green infrastructure potential will include green infrastructure measures to the maximum extent practicable during the permit term. For any public infrastructure project where implementation of green infrastructure measures is not practicable, submit a brief description of the project and the reasons green infrastructure measures were impracticable to implement (see C.3.j.ii.(2) Table A - Public Projects Reviewed for Green Infrastructure).

Background Information:

Describe how this provision is being implemented by your agency, including the process used by your agency to identify projects with potential for green infrastructure, if applicable.

The Planning and Public Works Departments have been collaborating to identify potential green infrastructure projects and include any projects within the City's Capital Improvement Projects. No projects were identified as potential within this reporting period.

City staff reviewed the 37 projects in the City's Capital Improvement Program using the BASMAA Guidance and the SMCWPPP GI – Opportunity matrix. The City found 2 projects that are too early to assess and 35 have no potential. The two projects found to be too early to assess are the construction of a new Brisbane Library and a development plan to rezone and restructure the entryway to Brisbane. Both projects have high potential for green infrastructure and are predicted to be C.3 regulated projects.

Summary of Planning or Implementation Status of Identified Projects:

None identified during this reporting period.

C.3.j.iii.(2) ▶ Participate in Processes to Promote Green Infrastructure

On an annual basis, report on the goals and outcomes during the reporting year of work undertaken to participate in processes to promote green infrastructure.

Please refer to the SMCWPPP FY 15-16 Annual Report for a summary of efforts conducted to help regional, State, and federal agencies plan, design and fund incorporation of green infrastructure measures into local infrastructure projects, including transportation projects.

C.3.j.iv.(2) ▶ Tracking and Reporting Progress

On an annual basis, report progress on development and implementation of methods to track and report implementation of green infrastructure measures and provide reasonable assurance that wasteload allocations for TMDLs are being met.

| C.3.b.iv.(2) ► Regulated Projects Reporting Table (part 1) – Projects Approved During the Fiscal Year Reporting Period | | | | | | | | | | | |
|--|---|----------------------|---------------------------------------|--|------------------------------------|----------------------------------|--|---|---|---|--|
| Project Name Project No. | Project Location ⁹ , Street Address | Name of Developer | Project Phase No. ¹⁰ | Project Type & Description ¹¹ | Project Watershed ¹² | Total Site Area (Acres) | Total Area of Land Disturbed (Acres) | Total New Impervious Surface Area (ft ²) ¹³ | Total Replaced Impervious Surface Area (ft ²) ¹⁴ | Total Pre- Project Impervious Surface Area ¹⁵ (ft ²) | Total Post- Project Impervious Surface Area ¹⁶ (ft ²) |
| Private Projects | | | | | | | | | | | |
| None | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Public Projects | | | | | | | | | | | |
| None | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Comments: N/A | | | | | | | | | | | |

⁹Include cross streets

¹⁰If a project is being constructed in phases, indicate the phase number and use a separate row entry for each phase. If not, enter "NA".

¹¹Project Type is the type of development (i.e., new and/or redevelopment). Example descriptions of development are: 5-story office building, residential with 160 single-family homes with five 4-story buildings to contain 200 condominiums, 100 unit 2-story shopping mall, mixed use retail and residential development (apartments), industrial warehouse.

¹²State the watershed(s) in which the Regulated Project is located. Downstream watershed(s) may be included, but this is optional.

¹³All impervious surfaces added to any area of the site that was previously existing pervious surface.

¹⁴All impervious surfaces added to any area of the site that was previously existing impervious surface.

¹⁵For redevelopment projects, state the pre-project impervious surface area.

¹⁶For redevelopment projects, state the post-project impervious surface area.

C.3.b.iv.(2) ► Regulated Projects Reporting Table (part 2) – Projects Approved During the Fiscal Year Reporting Period (private projects)

| Project Name Project No. | Application Deemed Complete Date ¹⁷ | Application Final Approval Date ¹⁸ | Source Control Measures ¹⁹ | Site Design Measures ²⁰ | Treatment Systems Approved ²¹ | Type of Operation & Maintenance Responsibility Mechanism ²² | Hydraulic Sizing Criteria ²³ | Alternat ive Compl iance Measur es ^{24/25} | Alternative Certification ²⁶ | HM Controls ^{27/28} |
|-----------------------------|---|---|---|---------------------------------------|--|---|---|--|--|---------------------------------|
| Private Projects | | | | | | | | | | |
| None | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |

¹⁷For private projects, state project application deemed complete date. If the project did not go through discretionary review, report the building permit issuance date.

¹⁸For private projects, state project application final discretionary approval date. If the project did not go through discretionary review, report the building permit issuance date.

¹⁹List source control measures approved for the project. Examples include: property designed trash storage areas; storm drain stenciling or signage; efficient landscape irrigation systems; etc.

²⁰List site design measures approved for the project. Examples include: minimize impervious surfaces; conserve natural areas, including existing trees or other vegetation, and soils; construct sidewalks, walkways, and/or patios with permeable surfaces, etc.

²¹List all approved stormwater treatment system(s) to be installed onsite or at a joint stormwater treatment facility (e.g., flow through planter, bioretention facility, infiltration basin, etc.).

²²List the legal mechanism(s) (e.g., O&M agreement with private landowner; O&M agreement with homeowners' association; O&M by public entity, etc...) that have been or will be used to assign responsibility for the maintenance of the post-construction stormwater treatment systems.

²³See Provision C.3.d.i. "Numeric Sizing Criteria for Stormwater Treatment Systems" for list of hydraulic sizing design criteria. Enter the corresponding provision number of the appropriate criterion (i.e., 1.a., 1.b., 2.a., 2.b., 2.c., or 3).

²⁴For Alternative Compliance at an offsite location in accordance with Provision C.3.e.i.(1), on a separate page, give a discussion of the alternative compliance site including the information specified in Provision C.3.b.v.(1)(m)(i) for the offsite project.

²⁵For Alternative Compliance by paying in-lieu fees in accordance with Provision C.3.e.i.(2), on a separate page, provide the information specified in Provision C.3.b.v.(1)(m)(ii) for the Regional Project.

²⁶Note whether a third party was used to certify the project design complies with Provision C.3.d.

²⁷If HM control is not required, state why not.

²⁸If HM control is required, state control method used (e.g., method to design and size device(s) or method(s) used to meet the HM Standard, and description of device(s) or method(s) used, such as detention basin(s), bioretention unit(s), regional detention basin, or in-stream control).

C.3.b.iv.(2) ► Regulated Projects Reporting Table (part 2) – Projects Approved During the Fiscal Year Reporting Period (public projects)

| Project Name Project No. | Approval Date ²⁹ | Date Construction Scheduled to Begin | Source Control Measures ³⁰ | Site Design Measures ³¹ | Treatment Systems Approved ³² | Operation & Maintenance Responsibility Mechanism ³³ | Hydraulic Sizing Criteria ³⁴ | Alternative Compliance Measures ^{35/36} | Alternative Certification ³⁷ | HM Controls ^{38/39} |
|-----------------------------|--------------------------------|---|--|---------------------------------------|--|---|---|--|--|---------------------------------|
| Public Projects | | | | | | | | | | |
| None | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Comments: N/A | | | | | | | | | | |

²⁹For public projects, enter the plans and specifications approval date.

³⁰List source control measures approved for the project. Examples include: properly designed trash storage areas; storm drain stenciling or signage; efficient landscape irrigation systems; etc.

³¹List site design measures approved for the project. Examples include: minimize impervious surfaces; conserve natural areas, including existing trees or other vegetation, and soils; construct sidewalks, walkways, and/or patios with permeable surfaces, etc.

³²List all approved stormwater treatment system(s) to be installed onsite or at a joint stormwater treatment facility (e.g., flow through planter, bioretention facility, infiltration basin, etc.).

³³List the legal mechanism(s) (e.g., maintenance plan for O&M by public entity, etc...) that have been or will be used to assign responsibility for the maintenance of the post-construction stormwater treatment systems.

³⁴See Provision C.3.d.i. "Numeric Sizing Criteria for Stormwater Treatment Systems" for list of hydraulic sizing design criteria. Enter the corresponding provision number of the appropriate criterion (i.e., 1.a., 1.b., 2.a., 2.b., 2.c., or 3).

³⁵For Alternative Compliance at an offsite location in accordance with Provision C.3.e.i.(1), on a separate page, give a discussion of the alternative compliance site including the information specified in Provision C.3.b.v.(1)(m)(i) for the offsite project.

³⁶For Alternative Compliance by paying in-lieu fees in accordance with Provision C.3.e.i.(2), on a separate page, provide the information specified in Provision C.3.b.v.(1)(m)(ii) for the Regional Project.

³⁷Note whether a third party was used to certify the project design complies with Provision C.3.d.

³⁸If HM control is not required, state why not.

³⁹If HM control is required, state control method used (e.g., method to design and size device(s) or method(s) used to meet the HM Standard, and description of device(s) or method(s) used, such as detention basin(s), bioretention unit(s), regional detention basin, or in-stream control).

C.3.h.v.(2). ► Table of Newly Installed⁴⁰ Stormwater Treatment Systems and Hydromodification Management (HM) Controls (Optional)

Fill in table below or attach your own table including the same information.

| Name of Facility | Address of Facility | Party Responsible ⁴¹ For Maintenance | Type of Treatment/HM Control(s) |
|------------------|---------------------|---|---------------------------------|
| None | N/A | N/A | N/A |

⁴⁰ "Newly Installed" includes those facilities for which the final installation inspection was performed during this reporting year.

⁴¹ State the responsible operator for installed stormwater treatment systems and HM controls.

| C.3.e.v.Special Projects Reporting Table | | | | | | | | | | | | |
|--|-----------|---------|--|----------------------|---------------------------|--------------------|-----------------------|-------------|--|--|--|--|
| Reporting Period – July 1 2015 - June 30, 2016 | | | | | | | | | | | | |
| Project Name & No. | Permittee | Address | Application Submittal Date ⁴² | Status ⁴³ | Description ⁴⁴ | Site Total Acreage | Gross Density DU/Acre | Density FAR | Special Project Category ⁴⁵ | LID Treatment Reduction Credit Available ⁴⁶ | List of LID Stormwater Treatment Systems ⁴⁷ | List of Non-LID Stormwater Treatment Systems ⁴⁸ |
| NONE | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |

⁴²Date that a planning application for the Special Project was submitted.

⁴³ Indicate whether final discretionary approval is still pending or has been granted, and provide the date or version of the project plans upon which reporting is based.

⁴⁴Type of project (commercial, mixed-use, residential), number of floors, number of units, type of parking, and other relevant information.

⁴⁵ For each applicable Special Project Category, list the specific criteria applied to determine applicability. For each non-applicable Special Project Category, indicate n/a.

⁴⁶For each applicable Special Project Category, state the maximum total LID Treatment Reduction Credit available. For Category C Special Projects also list the individual Location, Density, and Minimized Surface Parking Credits available.

⁴⁷: List all LID stormwater treatment systems proposed. For each type, indicate the percentage of the total amount of runoff identified in Provision C.3.d. for the Special Project's drainage area.

⁴⁸List all non-LID stormwater treatment systems proposed. For each type of non-LID treatment system, indicate: (1) the percentage of the total amount of runoff identified in Provision C.3.d. for the Special Project's drainage area, and (2) whether the treatment system either meets minimum design criteria published by a government agency or received certification issued by a government agency, and reference the applicable criteria or certification.

Special Projects Narrative

N/A

| C.3.j.ii.(2) ▶ Table A - Public Projects Reviewed for Green Infrastructure | | | | |
|--|---------------------|----------------------|----------------------------|---|
| Project Name and Location ⁴³ | Project Description | Status ⁴⁴ | GI Included? ⁴⁵ | Description of GI Measures Considered and/or Proposed or Why GI is Impracticable to Implement ⁴⁶ |
| None identified as potential at this time | N/A | N/A | N/A | N/A |

| C.3.j.ii.(2) ▶ Table B - Planned Green Infrastructure Projects | | | |
|--|---------------------|-----------------------------------|--|
| Project Name and Location ⁴⁷ | Project Description | Planning or Implementation Status | Green Infrastructure Measures Included |
| None identified at this time | N/A | N/A | N/A |

⁴³ List each public project that is going through your agency's process for identifying projects with green infrastructure potential.

⁴⁴ Indicate status of project, such as: beginning design, under design (or X% design), projected completion date, completed final design date, etc.

⁴⁵ Enter "Yes" if project will include GI measures, "No" if GI measures are impracticable to implement, or "TBD" if this has not yet been determined.

⁴⁶ Provide a summary of how each public infrastructure project with green infrastructure potential will include green infrastructure measures to the maximum extent practicable during the permit term. If review of the project indicates that implementation of green infrastructure measures is not practicable, provide the reasons why green infrastructure measures are impracticable to implement.

⁴⁷ List each planned (and expected to be funded) public and private green infrastructure project that is not also a Regulated Project as defined in Provision C.3.b.ii. Note that funding for green infrastructure components may be anticipated but is not guaranteed to be available or sufficient.

Section 4 - Provision C.4 Industrial and Commercial Site Controls

Program Highlights and Evaluation
 Highlight/summarize activities for reporting year:

Summary:
 The city has a contract with San Mateo County Environmental Health to perform business inspections in the city. We are familiar with the inspections and inspection protocol followed by CEH staff and are satisfied those efforts are compliant with the MRP. A significant review and revision of our Business Inspection Plan was completed in February 2014 to ensure that we are capturing all non-SMCEH inspected businesses that have the potential to cause or contribute to non-stormwater discharges.

City inspectors conducted 130 inspections, at 104 businesses, issuing 18 verbal warnings and 5 notices of violations. 33 business were referred to SMCEH, no longer in business, or not physically located in Brisbane.

Public Works staff participates in the Commercial, Industrial and Illicit Discharge (CII) Subcommittee. City staff conducted a Business Inspection Plan and Enforcement Response Plan Training and Plan review on April 18, 2016. City staff also attended the June 1, 2016 Industrial Commercial Stormwater training and the May 3rd Stormwater Construction site Inspection Training. The City also updated its Emergency Response Plan, dated May, 26, 2016, to clarify guidance to inspection staff and to assist in taking consistent actions to achieve effective and timely compliance. See attachment 4-1 "Enforcement Response Plan".

Refer to the C.4. Industrial and Commercial Site Controls section of the SMCWPPP FY 15-16 Annual Report for a description of Program activities.

C.4.b.iii ► Potential Facilities List

List below or attach your list of industrial and commercial facilities in your Inspection Plan to inspect that could reasonably be considered to cause or contribute to pollution of stormwater runoff.

See Attachment 4-2 "C.4.b.iii (1) Potential Facilities ACTIVE-SMCEH" and Attachment 4-3 "C.4.b.iii(2) Business Inspections BRS and Attachment 4-4 "C.4.b.iii.(3)-Business Inspections - SMCEH"

C.4.d.iii.(1)(a) ► Facility Inspections

Fill out the following table or attach a summary of the following information. Indicate your violation reporting methodology below.

| | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Permittee reports multiple discrete violations on a site as one violation. |
| <input type="checkbox"/> | Permittee reports the total number of discrete violations on each site. |

| | Number | Percent |
|---------------------------------------|--------|---------|
| Number of businesses inspected | 104 | |
| Total number of inspections conducted | 130 | |

| | | |
|---|---|------|
| Number of violations (excluding verbal warnings) | 5 | |
| Sites inspected in violation | 4 | 4% |
| Violations resolved within 10 working days or otherwise deemed resolved in a longer but still timely manner | 5 | 100% |
| Comments: County Environmental Health (CEH): Food and Haz Mat program inspectors and Brisbane Inspectors conduct routine Stormwater inspections at inventoried sites based on High, Medium, and Low priorities. If a violation or discharge is observed, a description of the violation is noted on the Inspection Report form, including comments and/or requirements that the facility must complete to clear the violation. If the violation is not cleared at the time of the inspection, a follow-up visit is conducted. For the purposes of this section of the Annual Report, Verbal Warnings are not counted as violations. Brisbane Inspectors issued 18 verbal warnings during this period. SMCEH inspected 39 facilities. Brisbane Inspectors inspected 137 facilities. Note: Due to personnel changes, the City had 3 inspections that were completed after the fiscal year (completed 7/5/16 and 7/6/16), and were not included in any of the above numbers. No violations or discharges were observed on these 3 inspections. Please see attachments Attachment 4-2 "C.4.b.iii (1) Potential Facilities ACTIVE-SMCEH" and Attachment 4-3 "C.4.b.iii(2) Business Inspections-BRS." And Attachment 4-4 "C.4.b.iii.(3)-Business Inspections - SMCEH" | | |

C.4.d.iii.(1)(b) ► Frequency and Types/Categories of Violations Observed

Fill out the following table or attach a summary of the following information.

| Type/Category of Violations Observed | Number of Violations |
|--|----------------------|
| Actual discharge (e.g. active non-stormwater discharge or clear evidence of a recent discharge) | 0 |
| Potential discharge and other | 5 |
| Comments: Violations are counted as one per site, regardless of the actual number of discrete violations observed/recorded. | |

C.4.d.iii.(1)(b) ► Frequency and Type of Enforcement Conducted

Fill out the following table or attach a summary of the following information.

| | Enforcement Action (as listed in ERP) ⁴⁹ | Number of Enforcement Actions Taken | % of Enforcement Actions Taken ⁵⁰ |
|--------------|--|--|---|
| Level 1 | Verbal Warning | 19 | 79% |
| Level 2 | Notice of Violation | 5 | 21% |
| Level 3 | Notice to Comply | 0 | 0% |
| Level 4 | Legal Action/Referral | 0 | 0% |
| Total | | 24 | 100% |

C.4.d.iii.(1)(c) ► Types of Violations Noted by Business Category

Fill out the following table or attach a summary of the following information.

| Business Category ⁵¹ | Number of Actual Discharge Violations | Number of Potential/Other Discharge Violations |
|---------------------------------|--|---|
| Non-hazmat, non-food | 0 | 5 |

C.4.d.iii.(1)(d) ► Non-Filers

List below or attach a list of the facilities required to have coverage under the Industrial General Permit but have not filed for coverage:

No facilities have been identified as requiring Industrial Permit coverage that have not filed for coverage.

⁴⁹Agencies to list specific enforcement actions as defined in their ERPs.

⁵⁰Percentage calculated as number of each type of enforcement action divided by the total number of enforcement actions.

⁵¹List your Program's standard business categories.

| C.4.e.iii ► Staff Training Summary | | | | | | |
|---|-----------------------|---|--|--|---|---|
| Training Name | Training Dates | Topics Covered | No. of Industrial/ Commercial Site Inspectors in Attendance | Percent of Industrial/ Commercial Site Inspectors in Attendance | No. of IDDE Inspectors in Attendance | Percent of IDDE Inspectors in Attendance |
| Business Inspection Plan and ERP Review | 4/18/2016 | Business Inspection Plan review and Enforcement Response Review | 3 | 100% | 3 | 100% |
| Stormwater Construction Site Inspection Training | 5/3/2016 | Construction General Permit, MRP 2.0, Vendor Presentation, and Caltrans experience with Compost BMPs. | 2 | 67% | 2 | 67% |
| Industrial Commercial Inspector Stormwater Training | 6/1/2016 | MRP 2.0, Facilities County Environmental Health Inspects and Common BMPs, Illicit Discharge Inspection Basics, and discussing Inspection Senarios | 2 | 67% | 2 | 67% |
| Comments: N/A | | | | | | |

Section 5 – Provision C.5 Illicit Discharge Detection and Elimination

| |
|--|
| Program Highlights and Evaluation Highlight/summarize activities for reporting year: |
| Provide background information, highlights, trends, etc. |
| Summary: The City developed an Illicit Discharge screening program in FY 10-11 which was the basis for the past year's screening and rapid response to any detected/reported discharges in the channel feeding the Brisbane Lagoon via the Guadalupe Channel. Staff participated in the Countywide Program's Commercial, Industrial, and Illicit Discharge (CII subcommittee). City inspectors also attended the June 1, 2016 Commercial/Industrial Stormwater Inspector Workshop. Participated in the BASMAA Municipal Operations Committee through SMCWPPP. City staff conducted a Business Inspection Plan and Enforcement Response Training and Plan review on April 18, 2016. The City also updated its Emergency Response Plan, dated May, 26, 2016, to clarify guidance to inspection staff and to assist in taking consistent actions to achieve effective and timely compliance. See attachment 5-1 "Enforcement Response Plan". Refer to the C.5 Illicit Discharge Detection and Elimination section of the SMCWPPP FY 15-16 Annual Report for description of activities at the countywide or regional level. |

| |
|---|
| C.5.c.iii ► Complaint and Spill Response Phone Number |
| List below or attach your complaint and spill response phone number |
| 415.508.2130 Public Works (during business hours) 415.467.1212 Police Dispatch (after business hours) |
| Provide your complaint and spill response web address, if used |
| http://www.ci.brisbane.ca.us/departments/public-works/contact-public-works |
| Is a screen shot of your website showing the central contact point attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If No, explain: Please see attachment 5-1 "C.5.c.iii(1) - Screen shot" |
| Provide a discussion of how the central contact point (complaint and spill response phone number and, if used, web address) is being publicized to your staff and the public. |

The City publicizes spill response numbers on its Public Works Contact Page (see attachment C.5.c.iii). The City uses Go-Request for electronic contact submittals to the City for any waste water, storm drain, and/or illicit discharges. Citizens are able to download the app and can submit information along with pictures. See attachment 5-2 "C.5.c.iii(2) - Go-Request" for a screenshot of the go-request form. The City also posts the contact information and link to the Go-Request form on its facebook page.

C.5.d.iii.(1), (2), (3) ► Spill and Discharge Complaint Tracking

| Spill and Discharge Complaint Tracking (fill out the following table or include an attachment of the following information) | | |
|---|--------|------------|
| | Number | Percentage |
| Discharges reported (C.5.d.iii.(1)) | 9 | |
| Discharges reaching storm drains and/or receiving waters (C.5.d.iii.(2)) | 2 | 22% |
| Discharges resolved in a timely manner (C.5.d.iii.(3)) | 8 | 89% |

Comments:
 The City had 9 illicit discharges reported this FY with 2 reaching the storm drains. Both discharges reaching the storm drain were resolved in a timely manner however, one discharge; 485 Valley Drive, has one last remaining item before the case can be closed. They were instructed to power wash their parking lot however, they have opted to resurface the parking lot which has taken a little longer to schedule. There is no potential for discharge at this time so an extension was granted.

C.5.f.iii ► MS4 Map Availability

Discuss how you make your MS4 map available to the public and how you publicize the availability of the MS4 map.

MS4 maps are available on the City's Public Works website: <http://www.ci.brisbane.ca.us/public-works-faqs>
 Hard copies are also available at the Public Works Counter per request. The City also has a computer at the front counter that is available for citizens to use, allowing access to the City's website where the maps can be viewed.

MS4 maps are available to the public on the Oakland Museum Creek Mapping Project website (<http://explore.museumca.org/creeks/crkmap.html>). These maps include municipal storm drains that measure 24 inches or greater in diameter.

Section 6 – Provision C.6 Construction Site Controls

| C.6.e.iii.(1) ► Hillside Development Criteria | | | |
|--|--------------------------|---|-------------------------------------|
| What criteria is your agency using to determine hillside development areas? | <input type="checkbox"/> | Local criteria such as maps of hillside development areas or other written criteria | <input checked="" type="checkbox"/> |
| The permit definition of projects on sites with ≥ 15% slope | | | |
| Attach a copy of hillside development area maps or provide your written criteria below, if applicable. | | | |
| Description: | | | |
| See attachment 6-1 "C.6.e.iii(1)Criteria for Determination of Hillside Projects" | | | |

| C.6.e.iii.2.a, b, c ► Site/Inspection Totals | | |
|---|--|---|
| Number of High Priority Sites (sites disturbing < 1 acre of soil requiring storm water runoff quality inspection) (C.6.e.iii.1.a) | Number of sites disturbing ≥ 1 acre of soil (C.6.e.iii.1.b) | Total number of storm water runoff quality inspections conducted (include only High Priority Site and sites disturbing 1 acre or more) (C.6.e.iii.1.c) |
| # 0 | # 4 | # 80 |
| Comments: The City has 2 sites that it deems high priority which also disturb > 1 acre; Brisbane Recycling and Baylands Soil Processing. The Soil Processing Facility is under a state Industrial Permit and the Baylands Soil Processing is a commercial facility that is more akin to a construction site with the primary concerns being erosion and sedimentation control. The City considers it a high priority site for purpose of construction site compliance site inspections and reports inspections under Provision C.6. When County Health performs a business inspection of the facility, it will be reported additionally under section C4. There were also 2 sites with open building permits that were inspected and reflect in the reported numbers above. The two sites with open building/grading permits, have seen no construction activity during this reporting period. | | |

| C.6.e.iii.2.d ▶ Construction Activities Storm Water Violations | | |
|--|---|-------------------------------------|
| BMP Category | Number of Violations ⁵² excluding Verbal Warnings | % of Total Violations ⁵³ |
| Erosion Control | 0 | 0% |
| Run-on and Run-off Control | 0 | 0% |
| Sediment Control | 0 | 0% |
| Active Treatment Systems | 0 | 0% |
| Good Site Management | 0 | 0% |
| Non Stormwater Management | 0 | 0% |
| Total⁵⁴ | 0 | 100% |

NOTE: The city counts 1 or more violations in any category as a single violation, and counts each violated category as a violation. The city also counts every inspection report with a violation as a violation, even if less than 10 days have passed between inspections.

The two sites with open building/grading permits, have seen no construction activity during this reporting period.

*Excludes verbal warnings

⁵²Count one violation in a category for each site and inspection regardless of how many violations/problems occurred in the BMP category. For example, if during one inspection at a site, there are 2 erosion control violations, only 1 violation would be counted for this table.

⁵³Percentage calculated as number of violations in each category divided by total number of violations in all six categories.

⁵⁴The total number of violations may count more than one violation per inspection, since some inspections may result in violations in more than one category. For example, during one inspection of a site, there may have been both an erosion control violation and a sediment control violation. For this reason, the total number of violations in this table may not match the total number of enforcement actions reported in Table C6.e.iii.1.e.

C.6.e.iii.2.e ► Construction Related Storm Water Enforcement Actions

| | Enforcement Action (as listed in ERP) ⁵⁵ | Number Enforcement Actions Issued | % Enforcement Actions Issued ⁵⁶ |
|-----------------------|---|--------------------------------------|---|
| Level 1 ⁵⁷ | Verbal Warning | 0 | 0% |
| Level 2 | Notice of Violation | 0 | 0% |
| Level 3 | Notice to Comply (may include Administrative Citation or Stop Work) | 0 | 0% |
| Level 4 | Legal Action | 0 | 0% |
| Total | | 0 | 100% |

C.6.e.iii.2.f, g ► Illicit Discharges

| | Number |
|--|--------|
| Number of illicit discharges, actual and those inferred through evidence at high priority sites and sites that disturb 1 acre or more of land (C.6.e.iii.1.f) | 0 |
| Number of sites with discharges, actual and those inferred through evidence at high priority sites and sites that disturb 1 acre or more of land (C.6.e.iii.1.g) | 0 |

⁵⁵Agencies should list the specific enforcement actions as defined in their ERPs.

⁵⁶Percentage calculated as number of each type of enforcement action divided by the total number of enforcement actions.

⁵⁷For example, Enforcement Level 1 may be Verbal Warning.

| C.6.e.iii.2.h, i ► Violation Correction Times | | |
|---|--------|-----------------|
| | Number | Percent |
| Violations (excluding verbal warnings) fully corrected within 10 business days after violations are discovered or otherwise considered corrected in a timely period (C.6.e.iii.1.h) | 0 | % ⁵⁸ |
| Violations (excluding verbal warnings) not fully corrected within 30 days after violations are discovered (C.6.e.iii.1.i) | 0 | % ⁵⁹ |
| Total number of violations (excluding verbal warnings) for the reporting year ⁶⁰ | 0 | 100% |
| Comments: The City did not issue any violations, including verbal warnings, this fiscal year. | | |

| C.6.e.iii.(4) ► Evaluation of Inspection Data |
|--|
| Describe your evaluation of the tracking data and data summaries and provide information on the evaluation results (e.g., data trends, typical BMP performance issues, comparisons to previous years, etc.). |
| Description: The inspection data shows us that over the last few years our number of violations has decreased and that violations certain sites were having in previous years have been significantly reduced due to forward attention by city inspectors and developer staff. |

| C.6.e.iii.(4) ► Evaluation of Inspection Program Effectiveness |
|---|
| Describe what appear to be your program's strengths and weaknesses, and identify needed improvements, including education and outreach. |
| Description: The city implemented electronic inspection forms in FY 11-12 and continues to find that this procedure facilitates end of year reporting. The city's enforcement response plan (ERP) was updated May 26, 2016 to clarify guidance to inspection staff and to assist in taking consistent actions to achieve effective and timely compliance with the City of Brisbane's stormwater ordinance and other enforcement authorities allowed by the Brisbane Municipal Code (BMC). Updated BMP plan sheets are made available on the city's website, at the Public Works counter, and in Grading Permit and Building Permit applications. City staff attended the May 3rd, 2016 Stormwater Construction Site Inspection Training. |

⁵⁸ Calculated as number of violations fully corrected in a timely period after the violations are discovered divided by the total number of violations for the reporting year.

⁵⁹ Calculated as number of violations not fully corrected within 30 days after the violations are discovered divided by the total number of violations for the reporting year.

⁶⁰ The total number of violations reported in the table of Violation Correction Times equals the number of initial enforcement actions, i.e., this assumes one violation is issued for several problems during an inspection at a site. The total number of violations in the table of Violation Correction Times may not equal the total number of enforcement actions because one violation issued at a site may have a second enforcement action for the same violation at the next inspection if it is not corrected.

| C.6.f ▶ Staff Training Summary | | | | |
|--|-----------------------|---|--|--|
| Training Name | Training Dates | Topics Covered | No. of Inspectors in Attendance | |
| Stormwater Construction Site Inspection Training | May 3, 2016 | Construction General Permit, Differences between the new MRP permit, and Compost BMPs | 2 | |

Section 7 – Provision C.7. Public Information and Outreach

C.7.b.i.1 ► Outreach Campaign

Summarize outreach campaign. Include details such as messages, creative developed, and outreach media used. The detailed outreach campaign report may be included as an attachment. If outreach campaign is being done by participation in a countywide or regional program, refer to the separate countywide or regional Annual Report.

See Section 7 and Section 9 of the SMCWPPP FY 15-16 Annual Report for a description of activities conducted at Countywide level.

During the annual October community festival known as “Day in The Park” the Public Works Department provides citizens with outreach material from San Mateo County Environmental Health. The City also advertises and participates in Spring Clean Up events known as ‘Habitat Restoration Day’ on April 23, 2016 and “Earth Day’ on April 10, 2016 as well as Coastal Cleanup day on September 19, 2015. All events are advertised on the City’s website, Facebook page, and the SMCWPPP website www.flowstobay.org. The City also participates in the Responsible Car Wash campaign to save water and prevent pollution by advertising ½ off coupons for participating car wash companies. This was also posted on the City’s website.

C.7.c. Stormwater Pollution Prevention Education

The City has several places on our website that provides information about stormwater pollution and prevention. Building and planning department has a stormwater section pertaining to C3 projects. The Public Works department uses Go-Request for citizens to be able to report stormwater issues at all times of the day, which is located on the contact us page. We also have phone number for both business hours and non-business hours listed on the contact us page. The City also references the <http://flowstobay.org/> website. We also post on Facebook any stormwater related events and outreach materials.

| | |
|--|---|
| Local stormwater phone number(s) | 415.508.2130 (during business hours) 415.467.1212 (during non-business hours) |
| Local/Regional stormwater website(s) | <p>http://www.ci.brisbane.ca.us/departments/building-and-planning/building-division-building-code-enforcement/stormwater</p> <p>http://www.ci.brisbane.ca.us/departments/public-works/contact-public-works</p> <p>Information can also be found at http://flowstobay.org/</p> |
| <p>The City publicizes the Stormwater contact information on its website, the back of business cards, and at community events such as the Annual Day in the Park. The city also uses go-request, an on-line way for residents to contact us via the City's webpage.</p> <p>See The C.7 Public Information and Outreach section of SMCWPPP 15-16 Annual Report.</p> | |

| C.7.d ► Public Outreach and Citizen Involvement Events | | |
|--|--|--|
| Describe general approach to event selection. Provide a list of outreach materials and giveaways distributed. Use the following table for reporting and evaluating public outreach events See the C.7 Public Outreach and Citizen Involvement Events section of SMCWPPP FY 15-16 Annual Report for a summary of activities. | | |
| Event Details | Description (messages, audience) | Evaluation of Effectiveness |
| Provide event name, date, and location. Indicate if event is local, countywide or regional. | Identify type of event (e.g., school fair, creek clean-up, storm drain stenciling, farmers market etc.), type of audience (school children, gardeners, homeowners etc.) and outreach messages (e.g., Enviroscene presentation, pesticides, stormwater awareness) | Provide general staff feedback on the event (e.g., success at reaching a broad spectrum of the community, well attended, good opportunity to talk to gardeners etc.). Provide other details such as: <ul style="list-style-type: none"> • Success at reaching a broad spectrum of the community • Number of participants compared to previous years. • Post-event effectiveness assessment/evaluation results • Quantity/volume of materials cleaned up, and comparisons to previous efforts |
| Brisbane Coastal Cleanup Day (Lagoon Cleanup) – September 19, 2015 (see Public Information and Outreach section of the SMCWPPP FY 15-16 Annual Report for details) | Stormwater awareness and clean up | Approximately 45 people volunteered and cleaned up 3622 gallons of trash; 11 gallons recyclable, 760 pounds of trash and 20 recycle pounds. Litter such as bottles, cans, papers, tissues, etc..) |
| San Mateo County Fair June 11-19, 2016 (see Public Information and Outreach section of the SMCWPPP FY 15-16 Annual Report for details) | County Fair; stormwater awareness, lead and oil, toxic disposal | The City posted flyers at City Hall, on the City’s website, and facebook page. Encouraging people to attend and visit the SMCWPPP booth. |
| Earth Day: Habitat Restoration Day – April 25, 2015 | Stormwater awareness and clean up. Drought tolerant and native plant educational event | Approximately 34 people volunteered to help fill 1 debris box with invasive plants and trash (bottles, paper). Educational materials were distributed about drought tolerant native plants. |

| | | |
|--|--------------------------------|---|
| Brisbane Day in the Park – October 4, 2015 | Community Festival | Educational materials were distributed about drought tolerant native plants, water conservation and efficiency including tips for saving water both indoors and outdoors and hazmat disposal & storm drain awareness. |
| Firth Canyon Clean up Day – June 27, 2015 | Litter Cleanup in Firth Canyon | Approximately 25 people volunteered and filled 2/3 of a debris box with trash (bottles, cans, tissue paper) and invasive plants. |

C.7.e. ► Watershed Stewardship Collaborative Efforts

Summarize watershed stewardship collaborative efforts and/or refer to a regional report that provides details. Describe the level of effort and support given (e.g., funding only, active participation etc.). State efforts undertaken and the results of these efforts. If this activity is done regionally refer to a regional report.

Evaluate effectiveness by describing the following:

- Efforts undertaken
- Major accomplishments

Summary:
See the C.7 Watershed Stewardship Collaborative Efforts section of SMCWPPP FY 15-16 Annual Report for a summary of activities.

C.7.f. ► School-Age Children Outreach

Summarize school-age children outreach programs implemented. A detailed report may be included as an attachment. Use the following table for reporting school-age children outreach efforts.

See the C.7 School-Age Children Outreach section of SMCWPPP FY 15-16 Annual Report for a summary of activities.

| Program Details | Focus & Short Description | Number of Students/Teachers reached | Evaluation of Effectiveness |
|---|---|--|---|
| Provide the following information: Name Grade or level (elementary/ middle/ high) N/A | Brief description, messages, methods of outreach used N/A | Provide number or participants N/A | Provide agency staff feedback. Report any other evaluation methods used (quiz, teacher feedback etc.). Attach evaluation summary if applicable. N/A |

Section 9 – Provision C.9 Pesticides Toxicity Controls

| C.9.a. ► Implement IPM Policy or Ordinance | | | | | | | | |
|---|------------------------------------|----------|----------|----------|-------------------------------------|----------|--------------------------|----|
| Is your municipality implementing its IPM Policy/Ordinance and Standard Operating Procedures? | | | | | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| If no, explain: N/A | | | | | | | | |
| Report implementation of IPM BMPs by showing trends in quantities and types of pesticides used, and suggest reasons for increases in use of pesticides that threaten water quality, specifically organophosphates, pyrethroids, carbaryl, and fipronil. A separate report can be attached as evidence of your implementation. | | | | | | | | |
| Trends in Quantities and Types of Pesticides Used⁶¹ | | | | | | | | |
| Pesticide Category and Specific Pesticide Used | Amount ⁶² | | | | | | | |
| | FY 15-16 | FY 16-17 | FY 17-18 | FY 18-19 | FY 19-20 | FY 20-21 | | |
| Organophosphates | 0 | | | | | | | |
| Product or Pesticide Type A | n/a | | | | | | | |
| Product or Pesticide Type B | n/a | | | | | | | |
| Pyrethroids | 0 | | | | | | | |
| Product or Pesticide Type X | n/a | | | | | | | |
| Product or Pesticide Type Y | n/a | | | | | | | |
| Carbamates | 0 | | | | | | | |
| Product or Pesticide Type X | n/a | | | | | | | |
| Product or Pesticide Type Y | n/a | | | | | | | |
| Fipronil | 0 | | | | | | | |
| Product or Pesticide Type X | n/a | | | | | | | |
| Product or Pesticide Type Y | n/a | | | | | | | |
| Indoxacarb | Reporting not required in FY 15-16 | | | | | | | |

⁶¹Includes all municipal structural and landscape pesticide usage by employees and contractors.

⁶²Weight or volume of the product or preferably its active ingredient, using same units for the product each year. Please specify units used. The active ingredients in any pesticide are listed on the label. The list of active ingredients that need to be reported in the pyrethroids class includes: metofluthrin, bifenthrin, cyfluthrin, beta-cyfluthrin, cypermethrin, deltamethrin, esfenvalerate, lambda-cyhalothrin, and permethrin.

| | | | | | | |
|---|------------------------------------|--|--|--|--|--|
| Diuron | Reporting not required in FY 15-16 | | | | | |
| Diamides | Reporting not required in FY 15-16 | | | | | |
| IPM Tactics and Strategies used: | | | | | | |
| <p>The City does not use pesticides and removes any plants that require pesticides and replaces them with San Bruno Mountain Native plants. In FY 14-15 the City started preventive actions at the Corporation Yard that included sealing holes and gaps which helped improve sanitation. The City's standard procedure is to mow weeds, mulch, then monitor weed growth and rate of vegetation. We only contract out with certified IPM practitioners.</p> | | | | | | |

| | |
|---|----|
| C.9.b ▶ Train Municipal Employees | |
| Enter the number of employees that applied or used pesticides (including herbicides) within the scope of their duties this reporting year. | 0 |
| Enter the number of these employees who received training on your IPM policy and IPM standard operating procedures within this reporting year. | 0 |
| Enter the percentage of municipal employees who apply pesticides who have received training in the IPM policy and IPM standard operating procedures within this reporting year. | 0% |
| Type of Training: City staff does not apply or use pesticides. City staff attended the CAPCA ED Seminar on Sept, 16, 2015 and the PAPA Seminar on April 20, 2016. | |

C.9.c ▶ Require Contractors to Implement IPM

| | | | | |
|---|-------------------------------------|-----|--------------------------|----|
| Did your municipality contract with any pesticide service provider in the reporting year? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| <p>If yes, briefly describe how contractor compliance with IPM Policy/Ordinance and SOPs was monitored The City verifies IPM contractor performance by hiring professionals that certify they are properly trained and use IPM.</p> <p>The City contracts with Pestec, which as a company is certified through both Green Shield and EcoWise, and the applicator, Luis Agurto Jr. is an EcoWise certified IPM practitioner. The City also contracts with Marina Pest Control, which is not certified as a company, but the technician performing the applications for the City, Armando Silva, is an EcoWise certified practitioner. See attached documentation for Pestec and EcoWise certifications.</p> <p>City staff routinely inspects/observes applicators to ensure they are complying with our IPM policy.</p> <p>EcoWise Certified professionals must pass a rigorous exam and field audit to demonstrate expertise in prevention-based pest control practices. EcoWise requires that certified practitioners perform or oversee work at the customer account.</p> <p>Pestec was recognized as an IPM Innovator by the Department of Pesticide Regulation in 2008.</p> | | | | |

C.9.d ▶ Interface with County Agricultural Commissioners

| | | | | |
|--|--------------------------|-----|-------------------------------------|----|
| Did your municipality communicate with the County Agricultural Commissioner to: (a) get input and assistance on urban pest management practices and use of pesticides or (b) inform them of water quality issues related to pesticides. | <input type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No |
| N/A | | | | |
| Did your municipality report any observed or citizen-reported violations of pesticide regulations (e.g., illegal handling and applications of pesticides) associated with stormwater management, particularly the California Department of Pesticide Regulation (DPR) surface water protection regulations for outdoor, nonagricultural use of pyrethroid pesticides by any person performing pest control for hire. | <input type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No |
| <p>If yes, provide a summary of improper pesticide usage reported to the County Agricultural Commissioner and follow-up actions taken to correct any violations. A separate report can be attached as your summary.</p> <p>N/A</p> | | | | |

C.9.e.ii (1) ▶ Public Outreach: Point of Purchase

Provide a summary of public outreach at point of purchase, and any measurable awareness and behavior changes resulting from outreach (here or in a separate report); **OR** reference a report of a regional effort for public outreach in which your agency participates.

Summary:

See the C.9 Pesticides Toxicity Control section of the SMCWPPP FY 15-16 Annual Report for information on point of purchase public outreach conducted countywide and regionally.

C.9.e.ii (2) ▶ Public Outreach: Pest Control Contracting Outreach

Provide a summary of outreach to residents who use or contract for structural pest control and landscape professionals); **AND/OR** reference a report of a regional effort for outreach to residents who hire pest control and landscape professionals in which your agency participates.

Summary:

See the C.9 Pesticides Toxicity Control section of the SMCWPPP FY 15-16 Annual Report for a summary of our participation in and contributions towards countywide and regional public outreach to pest control operators and landscapers to reduce pesticide use.

C.9.e.ii.(3) ▶ Public Outreach: Pest Control Operators

Provide a summary of public outreach to pest control operators and landscapers and reduced pesticide use (here or in a separate report); **AND/OR** reference a report of a regional effort for outreach to pest control operators and landscapers in which your agency participates.

Summary:

See the C.9 Pesticides Toxicity Control section of SMCWPPP FY 15-16 Annual Report for a summary of outreach to pest control operators and landscapers to reduce pesticide use.

C.9.f ▶ Track and Participate in Relevant Regulatory Processes

Summarize participation efforts, information submitted, and how regulatory actions were affected; **AND/OR** reference a regional report that summarizes regional participation efforts, information submitted, and how regulatory actions were affected.

Summary:

During FY 15-16, we participated in regulatory processes related to pesticides through contributions to SMCWPPP, BASMAA and CASQA. For additional information, see the Regional Report submitted by BASMAA on behalf of all MRP Permittees.

Section 10 - Provision C.10 Trash Load Reduction

C.10.a.i ▶ Trash Load Reduction Summary

For population-based Permittees, provide the overall trash reduction percentage achieved to-date within the jurisdictional area of your municipality that generates problematic trash levels (i.e., Very High, High or Moderate trash generation). Base the reduction percentage on the information presented in C.10.b i-iv and C.10.e.i-ii. Provide a discussion of the calculation used to produce the reduction percentage, including whether the 60% trash reduction performance guideline was attained. If not attained, include a discussion of next steps (e.g., development of a detailed plan or report of non-compliance).

| Trash Load Reductions | |
|--|--------------|
| Percent Trash Reduction in All Trash Management Areas (TMAs) due to Trash Full Capture Systems (as reported C.10.b.i) | 49.2% |
| Percent Trash Reduction in all TMAs due to Control Measures Other than Trash Full Capture Systems (as reported in C.10.b.ii) ¹ | 5.6% |
| Percent Trash Reduction due to Jurisdictional-wide Source Control Actions (as reported in C.10.b.iv) ¹ | 10% |
| Subtotal for Above Actions | 64.8% |
| Trash Offsets (Optional) | |
| Offset Associated with Additional Creek and Shoreline Cleanups (as reported in C.10.e.i) | |
| Offset Associated with Direct Trash Discharges (as reported in C.10.e.ii) | NA |
| Total (Jurisdictional-wide) % Trash Load Reduction in FY 15-16 | 64.8% |

Discussion of Trash Load Reduction Calculation:
 The City attained and reported a 49% trash load reduction in its FY 14-15 Annual Report, exceeding the trash load reduction target of 40% by 2014. The reissued MRP contains a revised calculation methodology that eliminates or caps past trash load reduction offsets or credits. Based on the new calculation methodology, as of July 1, 2016, the City has attained a 65% trash load reduction (including trash offsets). The reissued MRP also added a non-mandatory performance guideline of attaining 60% trash reduction by July 1, 2016. Based on the new calculation methodology and the information provided in this Annual Report, the City has exceeded the 60% performance guideline.

¹ See Appendix 10-1 for changes between 2009 and FY 15-16 in trash generation by TMA as a result of Full Capture Systems and Other Measures.



C.10.a.iii ► Mandatory Trash Full Capture Systems

Provide the following:

- 1) Total number and types of full capture systems (publicly and privately-owned) installed prior to FY 15-16, during FY 15-16, and to-date, including inlet-based and large flow-through or end-of-pipe systems, and qualifying low impact development (LID) required by permit provision C.3.
- 2) Total land area (acres) treated by full capture systems for population-based Permittees and total number of systems for non-population based Permittees compared to the total required by the permit.

| Type of System | # of Systems | Areas Treated (Acres)* |
|--|--------------|------------------------|
| Installed Prior to FY 15-16 | | |
| Connector Pipe Screens | 49 | 203 |
| Low Impact Development | 2 | 3.1 |
| Drains to Sanitary Sewer | - | 80.8 |
| Installed in FY 15-16 | | |
| Connector Pipe Screens | 78 | 129.5 |
| Total for all Systems Installed To-date | | 416.4 |
| Treatment Acreage Required by Permit (Population-based Permittees) | | 0 |
| Total # of Systems Required by Permit (Non-population-based Permittees) | | NA |

*Areas treated includes jurisdictional and non-jurisdictional lands (e.g., public K-12 schools and colleges, and freeways)

C.10.b.i ► Trash Reduction - Full Capture Systems

Provide the following:

- 1) Jurisdictional-wide trash reduction in FY 15-16 attributable to trash full capture systems implemented in each TMA;
- 2) The total number of full capture systems installed to-date in your jurisdiction;
- 3) Since the effective date of MRP 2.0 (January 1, 2016), the percentage of systems that exhibited significant plugged/blinded screens or were >50% full when inspected or maintained;
- 4) A narrative summary of any maintenance issues and the corrective actions taken to avoid future full capture system performance issues; and
- 5) A certification that each full capture system is operated and maintained to meet the full capture system requirements in the permit.

| TMA | Jurisdiction-wide Reduction (%) | Total # of Full Capture Systems | % of Systems Exhibiting Plugged/Blinded Screens or >50% full | Summary of Maintenance Issues and Corrective Actions |
|----------------|---------------------------------|---------------------------------|--|--|
| 1 | 5.8% | 129 | 11% | <p>11% of FTCDs greater than 50% full</p> <p>The devices that were found to be greater than 50% full have had their cleaning frequency increased to three times a year as a short term solution while we evaluate each device to investigate a potential solution that would allow us to clean the devices at the base rate of 2 times per year. Some devices will unavoidably need to be cleaned at an increased rate. As the number of trash capture devices increase the need to find solutions to reduce the man hours required to clean these devices becomes ever more important.</p> <p>All of the devices that we have found to be greater than 50% full we can contribute to organic loading. Pine trees and Eucalyptus trees are found in abundance in the areas where these devices are located.</p> <p>For the 10 devices located on South Hill Dr. that were found to be greater than 50% we are looking at options to properly maintain them. We are planning on replacing the "drop in baskets" on the North West side of the road with connector pipe screens and recessed curb inlet screens. This will allow us a greater storage area for organics before they reach 50%. The curb inlet screens will keep a portion of the organics on the street to allow our weekly street sweeping to remove them. Recessing the devices will keep the large trucks from damaging</p> |
| 2* | NA | | | |
| 3 | 7.6% | | | |
| 4 | 21.4% | | | |
| 5 | 0% | | | |
| 6 | 9.3% | | | |
| 7 | 2.3% | | | |
| 8 | 0.5% | | | |
| 9 | 0.5% | | | |
| 10 | 1.1% | | | |
| 11 | 0.2% | | | |
| 12 | 0.1% | | | |
| Total** | 49.2% | | | |

| | | | |
|---|--|--|--|
| | | | <p>them. The current “drop in baskets” will be reused in an area with less of an organic load.</p> <p>The remaining trash capture devices appear to have no other option than to increase their frequency. We will continue to document their loading and adjust the frequency of the additional cleanings.</p> <p>Moving forward with the City’s plan to install and maintain additional trash capture devices we will continue to investigate all options of reducing maintenance while maintain a high level of performance and compliance.</p> |
| <p>Certification Statement: <i>The City of Brisbane certifies that a full capture system maintenance and operation program has been implemented to maintain all applicable systems in a manner that meets the full capture system requirements included in the Permit. The City continues to review its maintenance data to see if operations need to be adjusted.</i></p> | | | |

*All areas in TMA 2 are non-jurisdictional lands draining to the sanitary sewer system.

*The Total jurisdiction-wide reduction reported for full capture systems includes 0.3% reduction for treatment of 2 acres of non-jurisdictional public K-12, college and university school land areas.

C.10.b.ii ► Trash Reduction – Other Trash Management Actions (PART A)

Provide a summary of trash control actions other than full capture systems or jurisdictional source controls that were implemented within each TMA, including the types of actions, levels and areal extent of implementation, and whether actions are new, including initiation date.

| TMA | Summary of Trash Control Actions Other than Full Capture Systems |
|-----|--|
| 1 | <p>Current Actions - Monthly on-land trash clean-ups and on-call dumping pickups have been added to our Solid Waste Franchise Agreement with South San Francisco Scavengers, effective November 20th 2014. Weekly street sweeping is conducted on our behalf by South San Francisco Public Works, effective July 2015. Installation of trash capture devices was completed ahead of the Long Term Trash Reduction Plan implementation schedule. All trash capture devices are cleaned a minimum of bi-annually. The potential to increase this frequency is currently being evaluated as part of our Trash Capture Device Operations and Maintenance Verification Program. Code enforcement management and illegal dumping enforcement is provided by our Code Enforcement Officer and Police Department.</p> |
| 2 | <p>Note: 100% of this TMA drains to the City and County of San Francisco combined sewer system.</p> <p>Current Actions - Weekly on-land trash clean-ups of Beatty Avenue and Alana Way, monthly on-land trash cleanups of Lagoon Way and a portion of Tunnel Ave along with on-call dumping pickups and container management (and citations) are being provided via our Solid Waste Franchise Agreement with Recology. Code enforcement management and illegal dumping enforcement is provided by our Code Enforcement Officer and Police Department.</p> |
| 3 | <p>Current Actions - Monthly on-land trash clean-ups, on-call dumping pickups and container management (and citations) is being provided via our Solid Waste Franchise Agreement with South San Francisco Scavengers, effective November 20th 2014. Weekly street sweeping is conducted on our behalf by South San Francisco Public Works, effective July 2015. Installation of trash capture devices will be completed ahead of the Long Term Trash Reduction Plan implementation schedule. One remaining TCD is scheduled for installation in 2016/17. All trash capture devices are cleaned a minimum of bi-annually. The potential to increase this frequency is currently being evaluated as part of our Trash Capture Device Operations and Maintenance Verification Program. Code enforcement management and illegal dumping enforcement is provided by our Code Enforcement Officer and Police Department.</p> |
| 4 | <p>Current Actions - Monthly on-land trash clean-ups, on-call dumping pickups and container management (and citations) is being provided via our Solid Waste Franchise Agreement with South San Francisco Scavengers, effective November 20th 2014. Weekly street sweeping is conducted on our behalf by South San Francisco Public Works, effective July 2015. Installation of trash capture devices was completed ahead of the Long Term Trash Reduction Plan implementation schedule. All trash capture devices are cleaned a minimum of bi-annually. The potential to increase this frequency is currently being evaluated as part of our Trash Capture Device Operations and Maintenance Verification Program. Code enforcement management and illegal dumping enforcement is provided by our Code Enforcement Officer and Police Department.</p> |

| | |
|----|---|
| 5 | <p>Current Actions - Monthly on-land trash clean-ups, on-call dumping pickups and container management (and citations) is being provided via our Solid Waste Franchise Agreement with Recology, effective November 20th 2014. Weekly street sweeping is conducted on our behalf by South San Francisco Public Works, effective July 2015. Code enforcement management and illegal dumping enforcement is provided by our Code Enforcement Officer and Police Department.</p> |
| 6 | <p>Current Actions - On-call dumping pickups and container management (and citations) is being provided via our Solid Waste Franchise Agreement with South San Francisco Scavengers, effective November 20th 2014. Weekly street sweeping is conducted on our behalf by South San Francisco Public Works, effective July 2015. . Installation of trash capture devices will be completed ahead of the Long Term Trash Reduction Plan implementation schedule. All trash capture devices are cleaned a minimum of bi-annually. The potential to increase this frequency is currently being evaluated as part of our Trash Capture Device Operations and Maintenance Verification Program. Code enforcement management and illegal dumping enforcement is provided by our Code Enforcement Officer and Police Department.</p> |
| 7 | <p>Current Actions - On-call dumping pickups and container management (and citations) is being provided via our Solid Waste Franchise Agreement with South San Francisco Scavengers, effective November 20th 2014. Weekly street sweeping is conducted on our behalf by South San Francisco Public Works, effective July 2015. All trash capture devices are cleaned a minimum of bi-annually. The potential to increase this frequency is currently being evaluated as part of our Trash Capture Device Operations and Maintenance Verification Program. Code enforcement management and illegal dumping enforcement is provided by our Code Enforcement Officer and Police Department.</p> |
| 8 | <p>Current Actions – This TMA is comprised of Caltrain and other private property. Code enforcement management and illegal dumping enforcement is provided by our Code Enforcement Officer and Police Depart. Container management (and citations) is being provided via our Solid Waste Franchise Agreement with South San Francisco Scavengers, effective November 20th 2014.</p> |
| 9 | <p>Current Actions - On-call dumping pickups and container management (and citations) is being provided via our Solid Waste Franchise Agreement with South San Francisco Scavengers, effective November 20th 2014. Weekly street sweeping on San Bruno Avenue is conducted on our behalf by South San Francisco Public Works, effective July 2015. Additional trash capture devices have been added to this TMA beyond the Long Term Trash Reduction Plan implementation schedule. All trash capture devices are cleaned a minimum of bi-annually. The potential to increase this frequency is currently being evaluated as part of our Trash Capture Device Operations and Maintenance Verification Program. Code enforcement management and illegal dumping enforcement is provided by our Code Enforcement Officer and Police Department.</p> |
| 10 | <p>Current Actions - On-call dumping pickups and container management (and citations) is being provided via our Solid Waste Franchise Agreement with South San Francisco Scavengers, effective November 20th 2014. Weekly street sweeping is conducted on our behalf by South San Francisco Public Works, effective July 2015. Installation of trash capture devices will be completed ahead of the Long Term Trash Reduction Plan implementation schedule. All trash capture devices are cleaned a minimum of bi-annually. The potential to increase this frequency is currently being evaluated as part of our Trash Capture Device Operations and Maintenance Verification Program. Code enforcement management and illegal dumping enforcement is provided by our Code Enforcement Officer and Police Department.</p> |

| | |
|----|---|
| 11 | Current Actions - On-call dumping pickup is being provided via our Solid Waste Franchise Agreement with South San Francisco Scavengers, effective November 20th 2014. Code enforcement management and illegal dumping enforcement is provided by our Code Enforcement Officer and Police Depart. City staff currently leads volunteer based cleanups of these natural canyons. |
| 12 | Current Actions - On-call dumping pickup is being provided via our Solid Waste Franchise Agreement with South San Francisco Scavengers, effective November 20th 2014. Code enforcement management and illegal dumping enforcement is provided by our Code Enforcement Officer and Police Depart. This entirety of this TMA is a "low generation rate". There is one illegal dumping incident in this TMA that resulted in a citation and restitution paid. Illegal Dumping incidents are tracked by the Police Departments RIMS Police Record Management System and report of incidents can be generated by the Police Records Division Administrative Analyst. |

**C.10.b.ii ► Trash Reduction – Other Trash Management Actions
 (PART B)**

Provide the following:

- 1) A summary of the on-land visual assessments in each TMA (or control measure area), including the street miles available for assessment (i.e., those associated with VH, H, or M trash generation areas not treated by full capture systems), the street miles assessed, the % of available street miles assessed, and the average number of assessments conducted per site within the TMA; and
- 2) Percent jurisdictional-wide trash reduction in FY 15-16 attributable to trash management actions other than full capture systems implemented in each TMA.

| TMA ID or (as applicable) Control Measure Area | Total Street Miles Available for Assessment | Summary of On-land Visual Assessments | | | Jurisdictional-wide Reduction (%) |
|--|---|---------------------------------------|--|--|--------------------------------------|
| | | Street Miles Assessed | % of Applicable Street Miles Assessed | Avg. # of Assessments Conducted at Each Site* | |
| 1 | 0.45 | 0 | 0% | 0 | 0% |
| 2** | NA | NA | NA | NA | NA |
| 3 | 0.06 | 0 | 0% | 0 | 0% |
| 4 | 0.59 | 0 | 0% | 0 | 0% |
| 5 | 1.21 | 0.57 | 47.1% | 5.7 | 1.5% |
| 6 | 1.88 | 0 | 0% | 0 | 0% |
| 7 | 0.56 | 0.40 | 70.5% | 1.0 | 4.1% |
| 8 | 0.00 | 0 | NA | 0 | 0% |
| 9 | 0.18 | 0 | 0% | 0 | 0% |
| 10 | 0.34 | 0 | 0% | 0 | 0% |
| 11 | 0.07 | 0 | 0% | 0 | 0% |
| 12 | 0.04 | 0 | 0% | 0 | 0% |
| Total | | 0.57 | - | - | 5.6% |

*Each on-land visual assessment site is approximately 1,000 feet (on average) in length. Average number of assessments represent those conducted in FYs 14-15 and 15-16.

**All areas in TMA 2 are non-jurisdictional lands draining to the sanitary sewer system.

C.10.b.iv ▶ Trash Reduction – Source Controls

Provide a description of each jurisdictional-wide trash source control action implemented to-date. For each control action, identify the trash reduction evaluation method(s) used to demonstrate on-going reductions, summarize the results of the evaluation(s), and provide the associated reduction of trash within your jurisdictional area. Also include the total % reduction credit for all source controls up to the maximum 10% allowed by MRP 2.0.

| Source Control Action | Summary Description & Dominant Trash Sources and Types Targeted | Evaluation/Enforcement Method(s) | Summary of Evaluation/Enforcement Results To-date | % Reduction | Total Reduction Credit (%) |
|-----------------------|---|----------------------------------|---|-------------|----------------------------|
|-----------------------|---|----------------------------------|---|-------------|----------------------------|

| C.10.b.iv ► Trash Reduction – Source Controls | | | | | |
|---|---|--|---|----|------------------|
| Provide a description of each jurisdictional-wide trash source control action implemented to-date. For each control action, identify the trash reduction evaluation method(s) used to demonstrate on-going reductions, summarize the results of the evaluation(s), and provide the associated reduction of trash within your jurisdictional area. Also include the total % reduction credit for all source controls up to the maximum 10% allowed by MRP 2.0. | | | | | |
| Single Use Bag Ordinance | <p>On March 18, 2013, the Brisbane City Council adopted a reusable bag ordinance (No. 580 adding Chapter 8.17 to the Brisbane Municipal Code) banning retail establishments from distributing single-use carry-out bags (with only limited exceptions). The ban was developed through close cooperation with San Mateo County Environmental Health, who is also authorized to act as the Enforcement Officer within the city. Due to an extensive outreach with retail businesses, there were no objections expressed by Brisbane businesses during public hearings on this ordinance. Although challenging to quantify, subjective evaluations of on-land trash generation reveals a significantly noticeable reduction in the presence of single-use plastic bags. Staff believes that the “measure of success” identified in the report to Council, “An apparent reduction of single-use bag trash within the city, its waterways, and the surrounding bay and environment”, has been achieved.</p> <p>This measure targets pedestrian litter, vehicles and inadequate container management trash sources.</p> <p>Please refer to Section C.7.e of this report for detailed information on public outreach during this reporting period.</p> | <p>On behalf of all SMCWPPP Permittees, the County of San Mateo conducted assessments evaluating the effectiveness of the single use plastic bag ban in municipalities within San Mateo County. Assessments conducted by the County included audits of businesses and surveys of customer bag usage at many businesses in San Mateo County. Additionally, the number of complaints by customers was also tracked by the County. The results of assessments conducted by these cities are assumed to be representative of all SMCWPPP Permittees, given the consistency between the scope, implementation, and enforcement of the ordinances among the municipalities.</p> <p>The City developed its % trash reduced estimate using the following assumptions:</p> <ol style="list-style-type: none"> 1.) Single use plastic bags comprise 8% of the trash discharged from stormwater conveyances, based on the Regional Trash Generation Study conducted by BASMAA; 2) 95% of single use plastic bags distributed in the City are affected by the implementation of the ordinance, based on the County of San Mateo’s Environmental Impact Report; and 3) Of the bags affected by the ordinance, there are now 90% less bags being distributed, based on customer complaints received by the County of San Mateo’s Department of Environmental Health Services. This is conservative estimate given that in FY 13-14 Environmental Services only received complaints about 4, of the over 1900 businesses in San Mateo County that are affected by the single-use plastic bag ordinances. | <p>Results of assessments conducted by the County of San Mateo on behalf of all municipalities in San Mateo County indicate that the City’s ordinance is effective in reducing the number of single use plastic bags in stormwater discharges. This preliminary conclusion is based on the very small number of complaints received from customers about businesses in San Mateo County that are continuing to use single use plastic bags after ordinances were adopted. Assuming single use bags were 8% of the trash observed in stormwater discharges, the City concludes that there has been a 7% (i.e., 8% x 86% effectiveness in reducing bags) reduction in trash in stormwater discharges as a result of the City’s ordinance.</p> | 7% | 10% (Maximum) |

C.10.b.iv ▶ Trash Reduction – Source Controls

Provide a description of each jurisdictional-wide trash source control action implemented to-date. For each control action, identify the trash reduction evaluation method(s) used to demonstrate on-going reductions, summarize the results of the evaluation(s), and provide the associated reduction of trash within your jurisdictional area. Also include the total % reduction credit for all source controls up to the maximum 10% allowed by MRP 2.0.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

| C.10.b.iv ▶ Trash Reduction – Source Controls | | | | | |
|---|---|---|--|----|--|
| Provide a description of each jurisdictional-wide trash source control action implemented to-date. For each control action, identify the trash reduction evaluation method(s) used to demonstrate on-going reductions, summarize the results of the evaluation(s), and provide the associated reduction of trash within your jurisdictional area. Also include the total % reduction credit for all source controls up to the maximum 10% allowed by MRP 2.0. | | | | | |
| Expanded Polystyrene Food Service Ware Ordinance | On October 2, 2014, the Brisbane City Council adopted a Polystyrene ordinance (No. 590 chapter 8.18 (Reusable Food Service Ware) prohibiting the use of Polystyrene based disposable food service ware by all food vendors. | Although the City has adopted and implemented an ordinance prohibiting the distribution of EPS food ware by food vendors, evaluations of the effectiveness of the ordinance have not yet been conducted. For the purpose of estimating trash reductions in stormwater discharges associated with the ordinance, the results of assessments conducted by the cities of Los Altos and Palo Alto were used to represent the reduction of trash associated with the City's ordinance. Assessments conducted by these cities were conducted prior to and following the effective date of their ordinances, and include audits of businesses and/or assessments of EPS food ware observed on streets, storm drains and local creeks. The results of assessments conducted by these cities are assumed to be representative of the effectiveness of the City's ordinance because the implementation (including enforcement) of the City's ordinance is similar to the City of Los Altos's and Palo Alto's. | Results of assessments that are representative of the City, but were conducted by the cities of Los Altos and Palo Alto, indicate that City's ordinance is effective in reducing EPS food ware in stormwater discharges. This conclusion is based on the following assessment results: An average of 95% of businesses affected by the ordinance are no longer distributing/selling EPS food ware. Based on these results, the estimated average reduction of EPS food ware in stormwater discharges is 90%. Assuming EPS food ware was 6% of the trash observed in stormwater discharges, the City concludes that there has been a 5% (i.e., 6% x 90%) reduction in trash in stormwater discharges as a result of the ordinance. | 5% | |

C.10.c ► Trash Hot Spot Cleanups

Provide the FY 15-16 cleanup date and volume of trash removed during each MRP-required Trash Hot Spot cleanup during each fiscal year listed. Indicate whether the site was a new site in FY 15-16.

| Trash Hot Spot | New Site in FY 15-16 (Y/N) | FY 15-16 Cleanup Date(s) | Volume of Trash Removed (cubic yards) | | | | |
|----------------|----------------------------|--------------------------|---------------------------------------|------------|------------|------------|------------|
| | | | FY 2011-12 | FY 2012-13 | FY 2013-14 | FY 2014-15 | FY 2015-16 |
| BRI01 | N | | 0.3 | 0.02 | 0.03 | 0.02 | |
| BRI02 | Y | 5/16/2016 | | | | | 0.15 |

Note: Starting in FY 2015-2016, BRI02 replaces BRI01.

| C.10.d ► Long-Term Trash Load Reduction Plan | |
|--|-----------------------|
| Provide descriptions of significant revisions made to your Long-term Trash Load Reduction Plan submitted to the Water Board in February 2014. Describe significant changes made to primary or secondary trash management areas (TMA), trash generation maps, control measures, or time schedules identified in your plan. Indicate whether your trash generation map was revised and is attached to your Annual Report. | |
| Description of Significant Revision | Associated TMA |
| In FY 15-16, consistent with all MRP Permittees, all public K-12 schools, college and university parcels were made non-jurisdictional on the City's baseline trash generation maps. Under California Government Code Sections 4450 through 4461, the construction, modification, or alteration of facilities and/or structures on these parcels are under the jurisdiction of the California Division of State Architect and not the City. The public right-of-way (e.g., streets and sidewalks) surrounding these parcels remain as jurisdictional on the City's baseline trash generation maps. The City's revised baseline trash generation map is included as Appendix 10-2. | All applicable |
| The City has chosen to remove the two 14 yard dumpsters placed at the corporations yard's main gate. The dumpsters became abused to the point that their maintenance took a considerable amount of time away from the Operations & Maintenance staffs normal duties. Most of the dumping was done by contractors dumping demolition debris rather than disposing of it properly and citizens looking for a place to dump for free. | 5 |
| The City has chosen to follow the guidance given by San Mateo County Water Pollution Prevention Program and EOA, Inc. to remove the two Brisbane School District properties located at 500 San Bruno Ave. and 1 Solano St. from our jurisdictional responsibility. | 9 |

| C.10.e. ► Trash Reduction Offsets (Optional) | | | |
|--|--|--|---|
| Provide a summary description of each offset program implemented, the volume of trash removed, and the offset claimed in FY 15-16. Also, for additional creek and shoreline cleanups, describe the number and frequency of cleanups conducted, and the locations and cleanup dates. For direct discharge control programs approved by the Water Board Executive Officer, also describe the results of the assessments conducted in receiving waters to demonstrate the effectiveness of the control program. Include an Appendix that provides the calculations and data used to determine the trash reduction offset. | | | |
| Offset Program | Summary Description of Actions and Assessment Results | Volume of Trash (CY) Removed/Controlled in FY 15-16 | Offset (Jurisdiction-wide Reduction %) |
| Additional Creek and Shoreline Cleanups (Max 10% Offset) | N/A | N/A | N/A |
| Direct Trash Discharge Controls (Max 15% Offset) | Not Applicable | N/A | N/A |

Appendix XX. Baseline trash generation and areas addressed by full capture systems and other control measures in Fiscal Year 15-16.

| TMA | 2009 Baseline Trash Generation (Acres) | | | | | Trash Generation (Acres) in FY 15-16 After Accounting for Full Capture Systems | | | | | Jurisdiction-wide Reduction via Full Capture Systems (%) | Trash Generation (Acres) in FY 15-16 After Accounting for Full Capture Systems and Other Control Measures | | | | | Jurisdiction-wide Reduction via Other Control Measures (%) | Jurisdiction-wide Reduction via Full Capture AND Other Control Measures (%) |
|---------------|--|------------|-----------|----------|--------------|--|------------|-----------|----------|-------------|--|---|------------|----------|----------|--------------|--|---|
| | L | M | H | VH | Total | L | M | H | VH | Total | | L | M | H | VH | Total | | |
| 1 | 0 | 0 | 14 | 3 | 17 | 11 | 0 | 4 | 3 | 17 | 5.8% | 11 | 0 | 4 | 3 | 17 | 0.0% | 5.8% |
| 2 | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| 3 | 0 | 24 | 2 | 2 | 28 | 27 | 1 | 0 | 0 | 28 | 7.6% | 27 | 1 | 0 | 0 | 28 | 0.0% | 7.6% |
| 4 | 0 | 0 | 32 | 3 | 35 | 33 | 0 | 2 | 0 | 35 | 21.4% | 33 | 0 | 2 | 0 | 35 | 0.0% | 21.4% |
| 5 | 0 | 0 | 8 | 0 | 8 | 0 | 0 | 8 | 0 | 8 | 0.0% | 1 | 5 | 1 | 1 | 8 | 1.5% | 1.5% |
| 6 | 2 | 253 | 3 | 0 | 258 | 63 | 195 | 0 | 0 | 258 | 9.3% | 63 | 195 | 0 | 0 | 258 | 0.0% | 9.3% |
| 7 | 50 | 54 | 0 | 0 | 104 | 69 | 35 | 0 | 0 | 104 | 2.3% | 99 | 5 | 0 | 0 | 104 | 4.1% | 6.4% |
| 8 | 1 | 46 | 0 | 0 | 47 | 10 | 37 | 0 | 0 | 47 | 0.5% | 10 | 37 | 0 | 0 | 47 | 0.0% | 0.5% |
| 9 | 3 | 8 | 0 | 0 | 11 | 7 | 4 | 0 | 0 | 11 | 0.5% | 7 | 4 | 0 | 0 | 11 | 0.0% | 0.5% |
| 10 | 0 | 18 | 1 | 0 | 19 | 8 | 11 | 1 | 0 | 19 | 1.1% | 8 | 11 | 1 | 0 | 19 | 0.0% | 1.1% |
| 11 | 0 | 4 | 0 | 0 | 4 | 1 | 2 | 0 | 0 | 4 | 0.2% | 1 | 2 | 0 | 0 | 4 | 0.0% | 0.2% |
| 12 | 1,148 | 1 | 0 | 0 | 1,149 | 1,149 | 0 | 0 | 0 | 1,149 | 0.1% | 1,149 | 0 | 0 | 0 | 1,149 | 0.0% | 0.1% |
| Totals | 1,204 | 407 | 61 | 9 | 1,680 | 1,358 | 285 | 15 | 3 | 1680 | 49.2% | 1,410 | 259 | 8 | 4 | 1,681 | 5.6% | 54.8%* |

*The % reduction from full capture includes 0.3% for 2 acres of full capture covering non-jurisdictional public K-12, college and university school areas

*All areas in TMA 2 are non-jurisdictional lands draining to the sanitary sewer system.

Appendix 10-2
Revised Baseline Trash Generation Map and Areas Currently
Addressed by
Full Capture Systems
(Attached at end of report)

Section 11 - Provision C.11 Mercury Controls

- C.11.a ▶ Implement Control Measures to Achieve Mercury Load Reductions**
- C.11.b ▶ Assess Mercury Load Reductions from Stormwater**
- C.11.c ▶ Plan and Implement Green Infrastructure to Reduce Mercury Loads**
- C.11.d ▶ Prepare Implementation Plan and Schedule to Achieve TMDL Allocations**
- C.11.e ▶ Implement a Risk Reduction Program**

Summary:

A summary of accomplishments for these sub-provisions are included within the C.11 Mercury Controls section of SMCWPPP's FY 15-16 Annual Report.

Section 12 - Provision C.12 PCBs Controls

- C.12.a ▶ Implement Control Measures to Achieve PCBs Load Reductions**
- C.12.b ▶ Assess PCBs Load Reductions from Stormwater**
- C.12.c ▶ Plan and Implement Green Infrastructure to Reduce PCBs Loads**
- C.12.d ▶ Prepare Implementation Plan and Schedule to Achieve TMDL Allocations**
- C.12.e ▶ Evaluate PCBs Presence in Caulks/Sealants Used in Storm Drain or Roadway Infrastructure in Public Rights-of-Way**
- C.12.f ▶ Manage PCB-Containing Materials and Wastes During Building Demolition Activities So That PCBs Do Not Enter Municipal Storm Drains**
- C.12.g. ▶ Fate and Transport Study of PCBs: Urban Runoff Impact on San Francisco Bay Margins**
- C.12.h ▶ Implement a Risk Reduction Program**

Summary:

A summary of accomplishments for these sub-provisions are included within the C.12 PCBs Controls section of SMCWPPP's FY 15-16 Annual Report.

Section 13 - Provision C.13 Copper Controls

C.13.a.iii ► Manage Waste Generated from Cleaning and Treating of Copper Architectural Features

(For FY 15-16 Annual Report only) Do you have adequate legal authority to prohibit the discharge of wastewater to storm drains generated from the installation, cleaning, treating, and washing of copper architectural features, including copper roofs?

Yes

No

(For FY 15-16 Annual Report only) Provide a summary of how copper architectural features are addressed through the issuance of building permits.

Summary:
The City of Brisbane 1) attaches the SMCWPPP "Requirements for Architectural Copper" Fact Sheet (www.flowstobay.org/files/newdevelopment/fiverfactsheets/ArchitecturalcopperBMPs.pdf) to building permit applications for roof replacement or new buildings; 2) reviews building permit applications specifically for the use of copper architectural features, and provides guidance on the installation and maintenance of these features; and 3) reviews design permits for the use of architectural copper and places conditions of approval prohibiting the discharge of washwater from cleaning and treating of coper architectural features from entering the storm drain system.

(FY 15-16 Annual Report and each Annual Report thereafter) Provide summaries of permitting and enforcement activities to manage waste generated from cleaning and treating of copper architectural features, including copper roofs, during construction and post-construction.

Summary:
During construction, municipal construction stormwater inspectors are responsible for identifying copper architectural features and if appropriate BMPs are implemented. Any issues noted are documented and enforcement actions recorded in the Provision C.6 inspection records. Post-construction municipal illicit discharge inspectors are responsible for responding to, investigating and identifying illegal discharge of wash water from washing copper architectural features. Any enforcement actions or reported discharges are recorded in the Provision C.5 inspection records. The SMCWPPP "Requirements for Architectural Copper" Fact Sheet is made available to the public, construction inspectors and illicit discharge inspectors on the SMCWPPP website (www.flowstobay.org/files/newdevelopment/fiverfactsheets/ArchitecturalcopperBMPs.pdf). Inspectors are made aware of the concerns with copper architectural features at SMCWPPP Training Workshops and internal municipal trainings.

C.13.b.iii ► Manage Discharges from Pools, Spas, and Fountains that Contain Copper-Based Chemicals

(For FY 15-16 Annual Report only) Do you have adequate legal authority to prohibit the discharge to storm drains of water containing copper-based chemicals from pools, spas, and fountains?

| | | | |
|---|-----|--|----|
| X | Yes | | No |
|---|-----|--|----|

(For FY 15-16 Annual Report only) Provide a summary of how copper-containing discharges from pools, spas, and fountains are addressed to accomplish the prohibition of the discharge.

Summary:
The City of Brisbane: 1) uses the OWOW Maintenance Tips for Pools, Spas, and Fountains" Fact Sheet, available on the SMCWPPP website (<http://www.ourwaterourworld.org/Portals/0/documents/pdf/Maintenance%20Tips%20for%20Pools%20%20Spas%20and%20Fountains.pdf>) and the City's website to educate the public; 2) responds to discharges from pools through your illicit discharge detection and elimination program; or 3) requires all regulated projects to discharge pools, spas, and fountain water to the sanitary sewer.

During FY 15-16 the City did not have any copper related discharges.

(FY 15-16 Annual Report and each Annual Report thereafter) Provide summaries of any enforcement activities related to copper-containing discharges from pools, spas, and fountains.

Summary:
The City did not have any copper related discharges for FY15-16

C.13.c.iii ► Industrial Sources Copper Reduction Results

Based upon inspection activities conducted under Provision C.4, highlight copper reduction results achieved among the facilities identified as potential users or sources of copper, facilities inspected, and BMPs addressed.

Summary:
During FY 15-16 inspections, City staff did not locate any businesses that use copper.

Section 15 -Provision C.15 Exempted and Conditionally Exempted Discharges

C.15.b.vi.(2) ► Irrigation Water, Landscape Irrigation, and Lawn or Garden Watering

Provide implementation summaries of the required BMPs to promote measures that minimize runoff and pollutant loading from excess irrigation. Generally the categories are:

- Promote conservation programs
- Promote outreach for less toxic pest control and landscape management
- Promote use of drought tolerant and native vegetation
- Promote outreach messages to encourage appropriate watering/irrigation practices
- Implement Illicit Discharge Enforcement Response Plan for ongoing, large volume landscape irrigation runoff.

Summary:

The City of Brisbane is a member of the Bay Area Water Supply and Conservation Association (BAWSCA) and participates in and promotes various water conservation programs, including large landscape account audits, high efficiency toilet and washing machine rebates, regional lawn replacement to drought tolerant landscape rebate program, school assembly education program and water-efficient landscape education classes, and Water Wise Gardening in the Bay Area Landscape Educational tool. The City continues to enforce its adopted indoor and outdoor water efficient landscape ordinances. In addition, strict water rationing requirements were adopted and enforced by the City in response to the State Emergency Drought Regulations adopted in May 2015. These water rationing requirements include:

- **Watering or outdoor irrigation restricted to 2 days per week.**
- **Watering or outdoor irrigation prohibited during or within 48 hours of measurable precipitation.**
- **Watering or outdoor irrigation restricted to 6:00pm to 9:00am.**
- **Prohibit washing sidewalks, driveways, and "hardscape" with potable water.**
- **Prohibit watering of outdoor landscape resulting in runoff outside of landscape.**
- **Restrict washing of vehicles only when a hose with an automatic shutoff nozzle is used.**
- **Recirculating system required for all decorative water fountains/features using potable water.**
- **Required food service establishments to serve water to customers only upon request.**
- **Required hotels and motels to offer guests the option to not launder towels and linens daily.**

Additional measures the City of Brisbane takes to promote conservation include:

- **City stopped irrigation of ornamental turf on public street medians with potable water.**
- **Tiered residential, commercial, and landscape water rates.**
- **Aggressive water conservation practices for the public fields and facilities including the use of mulch, matched precipitation (MP)**

Rotators, and drip emitters.

- **Discount car wash cards to residents to help prevent car wash pollution in the storm drain.**
- **Distributed educational materials about drought tolerant native plants at the Annual Day in the Park.**

The City of Brisbane responds to any reports of large volume landscape irrigation runoff and implements our Illicit Discharge Enforcement Response via the enforcement section of the Brisbane Municipal Code Chapter 8.40 “Water Waste”.

See Section C.9.e.ii of the SMCPPP’s FY 15-16 Annual Report for a description of SMCWPPP’s activities related to point-of-purchase outreach which promotes less toxic pest control and landscape management. See Section C.7 of SMCPPP’s FY 15-16 Annual Report for a description of outreach conducted to promote water conservation programs, such as promoting ran barrel use. Information on water conservation, less-toxic pest control and appropriate watering/irrigation practices is also posted on SMCWPPP’s website (www.flowstobay.org)

Appendix

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Section 4 – Provision C.4 Industrial and Commercial Site Controls

- Attachment 4-1: Enforcement Response Plan – Dated May 26, 2016
- Attachment 4-2: C.4.b.iii.(1) Potential Facilities Active - SMCEH
- Attachment 4-3: C.4.b.iii.(2) Business Inspections-BRS
- Attachment 4-4: C.4.b.iii.(3)-Business Inspections - SMCEH

Section 5 - Provision C.5.c.iii Complaint and Spill Response Phone Number

- Attachment 5-1: C.5.c.iii (1) Screen Shot
- Attachment 5-2: C.5.c.iii (2) Go request

Section 6 – Provision C.6.e.iii.(1) Hillside Development Criteria

- Attachment 6-1 “C.6.e.iii(1)Criteria for Determination of Hillside Projects”

Section 10 – Revised Baseline Trash Generation Map and Areas Currently Addressed by Full Capture Systems

- Attachment 10-2: “Full Trash Capture and Trash Management Area Map”
- Attachment 10-2: “Trash Generation Map”

ENFORCEMENT RESPONSE PLAN
City of Brisbane - Municipal Stormwater Program
Revised: May 26, 2016

Description and Purpose of Enforcement Response Plan

This enforcement response plan (ERP) provides guidance to inspection staff to assist in taking consistent actions to achieve effective and timely compliance with the City of Brisbane's stormwater ordinance and other enforcement authorities allowed by the Brisbane Municipal Code (BMC). The ERP was developed to comply with the following sections of the municipal regional stormwater permit (MRP):

- Industrial and Commercial Site Controls – ERP (Provision C.4.c);
- Illicit Discharge Detection and Elimination – ERP (Provision C.5.b); and
- Construction Site Control – ERP (Provision C.6.b).

As shown in Appendix A, these different MRP sections contain similar, but not identical requirements for developing and implementing an ERP. This template integrates the requirements from these three different MRP provisions into one ERP to facilitate consistent enforcement response within the agency. Given Brisbane's small size and limited stormwater staff, one ERP is adequate to address all three permit component areas.

Enforcement is typically preceded by an inspection, which may be the result of regularly scheduled site or facility inspections, or as the result of a complaint.

Provision C.4.c inspections are completed on the most current version of the "Standard Stormwater Facility Inspection Report Form" ("Stormwater Inspection").

Provision C.5.b inspections are completed on the most current version of the "Illicit Discharge: Source Identification Form" ("Illicit Discharge Inspection").

Provision C.6.b inspections are completed on the most current version of the "Construction Site Inspection Report" ("Construction Site Inspection").

The selection of an appropriate enforcement action and the escalation of enforcement are based on the seriousness of the violation and the violator's response to the agency's previous attempts (if any) to achieve compliance. The ERP includes suggested amounts of time to allow for the correction of violations based on the goal stated in the MRP¹. The nature of a specific violation may require tailoring of the timeframes for correction and/or the use of temporary measures to promptly address a violation before a permanent solution may be implemented. As required by the MRP, this ERP also describes when it may be appropriate to refer violations to another agency, such as the San Francisco Bay Regional Water Quality Control Board (Water Board), for additional enforcement.

The agency has authority to enforce municipal stormwater control requirements under the following sections of its municipal code:

Brisbane Stormwater Ordinance: BMC Chapter 13.06
 Grading Ordinance: BMC Chapter 15.01
 Public Nuisance: BMC Chapter 8.36

¹ The MRP states that violations must be corrected in a timely manner with a goal of correction before the next rain event, but not longer than 10 business days after discovery unless agency staff document reasons why a longer period is needed in the agency's database or equivalent

Enforcement Actions^{2,3} Overview (continued)

The relevant portions of these municipal code chapters are included at the end of this document.

Types of Enforcement Actions and Their Use

This ERP describes a range of enforcement options available for use to encourage prompt correction of violations and the prevention of conditions that pose a threat to cause future violations. There are administrative and judicial (civil and criminal) remedies in the stormwater ordinance and other parts of the BMC that provide a range of discretionary options for responding appropriately to a given violation depending on the magnitude of the violation, the duration and history of non-compliance, the good faith efforts of the violator to achieve compliance, and whether the violation may interfere with the agency's compliance with the MRP. The following table lists and describes available enforcement actions, examples of their use, and suggested time schedules for compliance.

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Enforcement Actions^{2 3} Overview

| Enforcement Actions | Use | Examples | | | Suggested Time Schedule to Achieve Compliance |
|---|--|---|--|---|---|
| | | Industrial/Commercial Business | Illicit Discharge | Construction Site | |
| Verbal Warning | For <u>threatened violations</u> (i.e., there is no evidence of an active or historical non-stormwater discharge) due to inadequate housekeeping, lack of appropriate BMPs to prevent pollution, or threatened non-stormwater discharges disallowed by MRP. | Inappropriate storage of material out-of-doors that could contribute to pollutants in stormwater during rainfall, such as lids on dumpsters being left open. | A wash area is present where washwaters may flow to MS4 based on the configuration, or operational procedures. | Failure to adequately cover stockpile materials. | In general, Verbal Warnings are only to be used when the discharger can either fully correct, or commence substantive corrective actions that are expected to result in full compliance, in the presence of enforcement staff. Because there is no stormwater discharge, and therefore no violation, and based on the timeliness of the corrective actions as determined by enforcement staff, there is no requirement to re-inspect Verbal Warnings. |
| Notice of Violation (continued next page) | For <u>minor violations</u> or if threatened violations are repeated. A written warning may be in the form of a written inspection report, such as a completed Standard Stormwater Facility Inspection Report Form; letter; or checklist that describes violations, expected | Use of best management practices that are almost effective, but do not achieve the maximum extent practicable standard, for the pollutant generating activity they are intended to control. | A non-stormwater discharge that is not specifically allowed by the MRP, but might be if adequate documentation and procedures had been followed to verify the adequate control of pollutants and obtain necessary approvals. | Lack of having a copy of the Stormwater Pollution Prevention Plan at the construction site. | Before the next rainfall event, but not longer than 10 business days, unless more timely compliance is feasible or other exceptions apply. Any actual stormwater discharge shall be required to cease immediately. |

² Where allowed by local municipal code, enforcement actions may include cost recovery for municipal staff time and associated expenses to initiate and track enforcement, conduct recordkeeping, collect and test samples, and verify a return to compliance.

³ The MRP states that violations must be corrected in a timely manner with a goal of correction before the next rain event, but not longer than 10 business days after discovery unless agency staff document reasons why a longer period is needed in the agency's database or equivalent.

Enforcement Actions^{2,3} Overview (continued)

| Enforcement Actions | Use | Examples | | | Suggested Time Schedule to Achieve Compliance |
|-------------------------|--|---|--|--|--|
| | | Industrial/Commercial Business | Illicit Discharge | Construction Site | |
| | corrections, and schedule for correction. | | | | |
| Notice to Comply | For major violations or if the response to written warning is inadequate. A notice to comply may be in the form of a cease and desist order ⁴ , notice to clean, notice to abate ⁴ , or a letter that describes violations, expected corrections, and schedule for correction. | Use of best management practices that are ineffective for the pollutant generating activity they are intended to control. | Discharge of non-stormwater discharges to MS4 that contain soap or other pollutants. | Inadequate use of BMPs to control sediment runoff from a construction site. | Before the next rainfall event, but not longer than 10 business days, unless more timely compliance is feasible or other exceptions apply During the rainy season, consider issuing a Stop Work Order for construction sites. For all other sites, require the immediate cessation of pollutant or illicit discharge generating activities until long-term remedies may be implemented. |
| Legal Action | For the most serious violations, including where the response to the notice to comply is inadequate. These types of violations are referred to City Attorney or County District Attorney for civil and criminal prosecution. | Lack of use of best management practices for pollutant generating activity, such as storing wastes in a way that allows pollutants to be mobilized by rainfall and stormwater runoff. | Discharge of hazardous wastes to MS4. | Violations that affect the agency's ability to comply with the MRP's requirements. | The time schedule for compliance will need to be determined based on case-specific information. This information will be documented as required by the MRP. Any actual stormwater discharge shall be required to cease immediately. |

⁴ The model stormwater ordinance provides that an authorized enforcement official may issue cease and desist orders and notices to clean.

⁴ The model stormwater ordinance provides that any condition caused or permitted to exist in violation of the stormwater ordinance is a nuisance and may be summarily abated and/or restored by any enforcement official.

Escalation of Enforcement Actions

This ERP incorporates a progressive enforcement response policy that is designed to maintain a fair and equitable system for enforcement to ensure that enforcement actions are proportionate to the violations, to provide maximum flexibility and effectiveness of enforcement actions, and to provide a system of escalating enforcement actions to encourage prompt compliance. The stormwater ordinance and other municipal codes allow for a degree of enforcement flexibility and a range of enforcement options that are needed to most efficiently gain compliance. An enforcement action may be upgraded or escalated depending on the circumstances of the case.

A Notice of Violation (NOV) shall be the minimum enforcement action taken in the following circumstances:

During “Stormwater Inspections”, the total of Discharge Potential + BMP effectiveness ≥ 4 , or a nonstormwater discharge is observed.

During “Illicit Discharge Inspections”, an actual discharge is observed.

During “Construction Site Inspections”, the discharge points show evidence of illicit discharge.

In addition to noting the issuance of a NOV on the associated inspection report, a written Notice of Violation shall be issued pursuant to procedures found in the City of Brisbane’s Administrative Code Enforcement Handbook. In the majority of cases, the “form” of the NOV shall be a “Warning Notice Corrective Action Must Be Taken (CE-1). If requested by the City Inspector and approved or directed by the City’s Public Works Director, the form of the NOV may be a “Administrative Citation - Fine Only” (CE-2) or Administrative Citation - Corrective Action” (CE-3).

In addition to the above action, in all cases where an actual discharge entered the storm drain and/or receiving water, the City Inspector shall complete an “Illicit Discharge Inspection”, so that actual discharges can be tracked on the C.5 reporting spreadsheet.

Roles and Responsibilities

This section describes the duties of agency staff that are responsible for implementing enforcement actions described in this ERP.

The primary enforcement staff members for the City of Brisbane are:

Public Works Inspector – grading/construction issues

Stormwater Coordinator – grading/construction issues, illicit discharges, commercial/industrial issues

Public Works Supervisor or Utility Team Leader/Lead Worker – illicit discharges, commercial/industrial issues

Public Works Maintenance Staff – responsible for reporting any illicit discharges during the course of normal operations

Enforcement Actions^{2,3} Overview (continued)

The Public Works Director/City Engineer will serve as the overall Enforcement Official.

Joint Compliance Inspections

In some situations it is appropriate to have joint compliance inspections with other agencies because the nature of the violation or because the violations are ongoing or repeated violations and may benefit from the enforcement options provided by other environmental statutes. Using the results of a joint compliance inspection, the regulatory agencies will be able to decide how to most efficiently achieve compliance. City staff may request joint inspections with Regional Water Quality Control Board staff on challenging sites or ones that are also regulated by the RWQCB under industrial or construction general permits.

Referral to Other Agencies

The MRP states that where enforcement tools are inadequate, the violations should be referred to the Regional Water Board, district attorney, or other relevant agencies for additional enforcement (Provision C.4.c). The legal enforcement action may include referral to the San Mateo County District Attorney Environmental Crimes Unit. Referrals may also be made to the California Department of Fish and Wildlife and possibly to the U.S. Environmental Protection Agency, if the Regional Water Board staff is unable to provide effective assistance.

Appendix A

Comparison of Municipal Regional Stormwater Permit's Enforcement Response Plan Requirements

| Task Description | Provision C.4 Industrial/Commercial | Provision C.5 Illicit Discharge Detection/Elimination | Provision C.6 – Construction Site Control |
|---|--|---|---|
| Overall Description | Develop and implement ERP that serves as <u>inspection staff's</u> reference document to take <u>consistent actions to achieve timely and effective</u> compliance. | Develop and implement an ERP that will serve as guidance for <u>inspection staff</u> to take <u>consistent actions to achieve timely and effective</u> abatement of illicit discharges. | Develop and implement ERP that serves as <u>inspection staff's</u> reference document to take <u>consistent actions to achieve timely and effective</u> compliance. (identical to Prov. C.4) |
| Required Enforcement Actions/Recommended Responses | Include <u>timeframes</u> for correction of various <u>field violation</u> scenarios and <u>provide guidance</u> on appropriate use of various <u>enforcement tools</u> , such as verbal and written notices, <u>citations</u> , <u>cleanup</u> requirements, <u>administrative</u> and <u>criminal penalties</u> . | Include <u>timeframes</u> for correction of various types and degree of <u>violations</u> . ERP will <u>provide guidelines</u> on when to employ the range of <u>regulatory responses</u> from warnings, <u>citations</u> and <u>cleanup</u> and cost recovery, to <u>administrative</u> or <u>criminal penalties</u> . | Include <u>timeframes</u> for correction of problems for various <u>field violation</u> scenarios. |
| Timely Correction of Violations | States <u>violations</u> as a <u>goal</u> should be corrected <u>before the next rain event</u> , but <u>no longer than 10 business days after discovery unless reasons are recorded in Permittee's database or equivalent</u> . Include appropriate time periods for each level of corrective action. Describe permittee's procedures for follow up inspections, enforcement actions, and referral to another agency. Any actual stormwater discharge shall be required to cease immediately. | <u>Goal of correcting violations before the next rain event but not longer than 10 business days after discovery unless rationale is recorded in database or equivalent</u> . Immediate correction can be temporary and short-term if a long-term, permanent correction will involve significant resources and construction time. An example of re-plumbing a wash area is described. | All violations must be corrected in a timely manner with <u>goal of correcting them before the next rain event but no longer than 10 business days after the violations are discovered</u> . If more than 10 business days are required for compliance, a <u>rationale</u> shall be recorded in database or equivalent. |
| Escalation of Enforcement/Referrals | Enforce stormwater ordinances as necessary to achieve compliance. Where enforcement tools are inadequate, <u>refer</u> the case to the Water Board, district attorney or <u>other</u> relevant <u>agencies</u> for additional enforcement. | If corrective actions are not implemented promptly or if there are repeat violations, permittees shall <u>escalate responses</u> as needed to achieve compliance, including <u>referral to other agencies</u> where necessary. | Take <u>progressively stricter responses</u> to achieve compliance. ERP shall include structures for progressively stricter responses & various violation scenarios that evoke progressively stricter responses. |

| Task Description | Provision C.4 Industrial/Commercial | Provision C.5 Illicit Discharge Detection/Elimination | Provision C.6 – Construction Site Control |
|---|---|--|--|
| Recordkeeping | Maintain adequate records to demonstrate compliance and appropriate follow-up enforcement responses. Lists specific information that should be tracked regarding business inspections; list includes type of enforcement and problem resolution. | All incidents or discharges reported to the complaint/spill system that might pose a threat to water quality shall be logged to track follow up and response through problem resolution. Data collected shall be sufficient to demonstrate escalating responses to repeated problems, and inter/intra-agency coordination, where appropriate. Specific spill and discharge complaint tracking information requirements are listed in Provision C.5.f.ii. | Specific information required for each inspection and problems found and resolved is listed in Provision C.6.e.ii.(4). |
| Reporting | Lists information for inclusion in the annual report including number and percent of violations resolved within 10 working days or otherwise resolved in a longer but still timely manner. Frequency and types/categories of violations observed. Frequency and type of enforcement. Summary of types of violations by business category. | Number of discharges reported; number of discharges reaching storm drains and/or receiving waters; number and percentage of discharges resolved in a timely manner; and summary of major types of discharges and complaints. | Reporting of inspection results is required in Provision C.6.e.iii. Agencies must report the number and percentage of each type of enforcement action listed in its ERP. |
| Time Frame for Development and Implementation of ERP | April 1, 2010 | April 1, 2010 | April 1, 2010 |

STORMWATER MANAGEMENT AND DISCHARGE CONTROL – CHAPTER 13.06

13.06.010 - Title.

The ordinance codified in this chapter shall be known as the "City of Brisbane Storm Water Management and Discharge Control Ordinance" and may be so cited.

(Ord. 407 § 3(part), 1996; Ord. 392 § 2(part), 1994).

13.06.020 - Purpose and intent.

The purpose of this chapter is to ensure the future health, safety, and general welfare of the city of Brisbane's citizens by:

- A. Eliminating nonstorm water discharges to the municipal separate storm sewer;
- B. Controlling the discharge to municipal separate storm sewers from spills, dumping or disposal of materials other than storm water;
- C. Reducing pollutants in storm water discharges to the maximum extent practicable.

The intent of this chapter is to protect and enhance the water quality of our watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Clean Water Act.

(Ord. 407 § 3(part), 1996; Ord. 392 § 2(part), 1994).

13.06.030 - Construction and application.

This chapter shall be construed to assure consistency with the requirements of the federal Clean Water Act and acts amendatory thereof or supplementary thereto, applicable implementing regulations, and NPDES Permit No. CA0029921 and any amendment, revision or reissuance thereof.

(Ord. 407 § 3(part), 1996; Ord. 392 § 2(part), 1994).

13.06.040 - Definitions.

Any terms defined in the federal Clean Water Act and acts amendatory thereof or supplementary thereto, and/or defined in the regulations for the storm water discharge permitting program issued by the Environmental Protection Agency on November 16, 1990 (as may from time to time be amended) as used in this article shall have the same meaning as in that statute or regulations. Specifically, the definition of the following terms included in that statute or regulations are incorporated by reference, as now applicable or as may hereafter be amended: discharge, illicit discharge, pollutant, and storm water. These terms and the following words shall have the meanings ascribed to them in this section:

- A. Authorized Enforcement Official. When used in this chapter, the following city officials are "authorized enforcement officials": Director of public works/city engineer; city manager; building and planning director; fire chief and their authorized designees.
- B. Best management practices ("BMPs") means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to "waters of the United States." BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
- C. City means the city of Brisbane.
- D. City storm sewer system means and includes, but is not limited to, those facilities within the city by which storm water may be conveyed to waters of the United States, including any roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains, which is not part of a publicly owned treatment works (POTW) as defined in 40 CFR § 122.2.
- E. Discharge means any addition of any pollutant to navigable waters from any point source, or any addition of any pollutant to the waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft.
- F.

Illicit discharge means any discharge to the city storm sewer system that is not composed entirely of storm water except discharges pursuant to a NPDES permit and discharges resulting from firefighting activities.

G.

Municipal regional permit means the municipal regional stormwater NPDES (National Pollutant Discharge Elimination System) permit, of which the city is a permittee, issued by the San Francisco Regional Water Quality Control Board, a copy of which is filed in the office of the city clerk, and any amendment, revision or reissuance thereof.

H.

Nonstorm water discharge means any discharge that is not entirely composed of storm water.

I.

Pollutant means dredged soil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharge into water.

J.

Premises means any building lot parcel, real estate, or land or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

K.

Storm water means storm water runoff, snow melt runoff, and surface runoff and drainage.

(Ord. 407 § 3(part), 1996; Ord. 392 § 2(part), 1994).

(Ord. No. 571, § 1, 3-19-12)

13.06.050 - Responsibility for administration.

This chapter shall be administered for the city by the director of public works/city engineer. Where storm drain facilities and/or watercourses have been accepted for maintenance by the San Mateo County Flood Control and Water Conservation District or other public agency legally responsible for certain watercourses, then the responsibility for enforcing the provisions of this chapter may be assigned to such agency, through contract or agreement executed by the city and such agency, with respect to those watercourses for which they have accepted maintenance.

(Ord. 407 § 3(part), 1996; Ord. 392 § 2(part), 1994).

13.06.060 - Storm water charges established.

Pursuant to the provisions of Health and Safety Code Section 5471, the city establishes a system of charges for its storm water drainage system. For the purposes of such system of charges "assessment roll" means the roll upon which general taxes of the city are collected and "annual real property tax statement" means the annual tax statement issued by the county of San Mateo.

(Ord. 407 § 3(part), 1996; Ord. 392 § 2(part), 1994).

13.06.070 - Schedule of charges.

The charges for services furnished by the city may be based upon the class of use or area of parcels as determined by resolution of the city council adopted by a four-fifths vote. Charges shall be assessed on a yearly basis against parcels as set forth in the master fee schedule adopted by resolution of the city council.

(Ord. 407 § 3(part), 1996; Ord. 392 § 2(part), 1994).

13.06.080 - Collection.

All storm water charges hereinabove provided for shall be collected on the official tax assessment roll, together with all regular municipal real property taxes. The charges shall constitute liens upon the particular lots or parcels of land affected and shall be effective at the same time and to the same extent as is provided for by law in the case of property taxes, with like penalties for delinquencies, all provided for by Health and Safety Code Section 5473.5, et seq.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.090 - Special charges.

The city may, upon a proper showing and upon the city council's making a determination in connection therewith, enter into a special written agreement with any industrial or commercial concern providing for the direct payment of storm water charges to the city rather than for the charges to be collected on the tax rolls; provided, however, that in the event of a default, the city shall be entitled to receive from the particular taxpayer the benefit of all applicable penalties for delinquencies and to avail itself of all applicable remedies for the enforcement of collection.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.100 - Finance director report—Notice and hearing.

Annually, on or before the first day of July, it is the duty of the finance director to file with the city clerk a report containing a summary of the annual charges of real property, computed in conformity with the schedule of charges. Thereafter, the city council shall hold a public hearing with respect to the report, after the city clerk has given proper notice.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.110 - Adoption of report.

On or before the tenth day of August of each year, following the final determination of the city council with respect to the annual report, the city clerk shall file with the county auditor a copy of the report with a statement endorsed thereon over the clerk's signature that it has been finally adopted by the city council. The county auditor shall then enter the amounts of the charges against the respective lots of parcels of land as they appear on the then-current assessment roll based upon detailed data provided by the city.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.120 - Additional charges.

The city may adopt fees to provide for the recovery of costs from users of the storm water system. Such fees may include, but are not limited to, permits, monitoring, inspections and surveillance procedures, accidental discharge matters appeals, reimbursement of costs incurred by city for removal of pollutants, and any other fees the city deems necessary to carry out the requirements of this chapter. The applicable fees shall be as set forth in the city's master fee schedule.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.130 - Discharge of pollutants.

The discharge of nonstorm water discharges to the city storm sewer system is prohibited except as provided herein. All discharges of material other than storm water must be in compliance with a NPDES permit issued for the discharge other than NPDES Permit No. CA0029921.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.140 - Exceptions to discharge prohibition.

The following discharges are exempt from the prohibition set forth in Section 13.04.58.

A.

The prohibition on discharges shall not apply to any discharge regulated under a National Pollutant Discharge Elimination System (NPDES) permit issued to the discharger and administered by the state of California under authority of the United States Environmental Protection Agency; provided, that the discharger is in full compliance with all requirements of the permit and other applicable laws or regulations.

B.

Discharges from the following activities will not be considered a source of pollutants to waters of the United States when properly managed: water line flushing and other discharges from potable water sources, landscape irrigation and lawn watering, irrigation water, diverted stream flows, rising ground waters, infiltration to separate storm drains, uncontaminated pumped ground water, foundation and footing drains, water from crawl space pumps, air conditioning condensation, springs, individual residential car washings, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges or flows from fire fighting, and accordingly are not subject to the prohibition on discharges.

(Ord. 407 § 3(part), 1996; Ord. 392 § 2(part), 1994).

13.06.150 - Discharge in violation of permit.

Any discharge that would result in or contribute to a violation of the municipal regional permit. Liability for any such discharge shall be the responsibility of the person(s) causing or responsible for the discharge, and such persons shall defend, indemnify and hold harmless the city in any administrative or judicial enforcement action relating to such discharge.

(Ord. 407 § 3(part), 1996; Ord. 392 § 2(part), 1994).

(Ord. No. 571, § 2, 3-19-12)

13.06.160 - Illicit discharge and illicit connections.

It is unlawful to establish, use, maintain, or continue illicit drainage connections to the city storm sewer system, and to commence or continue any illicit discharges to the city storm sewer system. This prohibition is expressly retroactive and applies to connections made in the past, regardless of whether made under a permit or other authorization or whether permissible under the law or practices applicable or prevailing at the time of the connection.

(Ord. 407 § 3(part), 1996; Ord. 392 § 2(part), 1994).

13.06.170 - Reduction of pollutants in storm water.

Any person engaged in activities which will or may result in pollutants entering the city storm sewer system shall undertake all practicable measures to reduce such pollutants. Examples of such activities include ownership and use of facilities which may be a source of pollutants such as parking lots, gasoline stations, industrial facilities, commercial facilities, stores fronting city streets, etc. The following minimal requirements shall apply:

A.

Littering.

1.

No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, placed, left or maintained, any refuse, rubbish, garbage, or other discarded or abandoned objects, articles, and accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or other drainage structures, business place, or upon any public or private lot of land in the city, so that the same might be or become a pollutant, except in containers or in lawfully established grounds.

2.

The occupant or tenant, or in the absence of occupant or tenant, the owner, lessee, or proprietor of any real property in the city in front of which there is a paved sidewalk shall maintain the sidewalk free of dirt or litter to the maximum extent practicable. Sweepings from the sidewalk shall not be swept or otherwise made or allowed to go into the gutter or roadway, but shall be disposed of in receptacles maintained on the real property as required for the disposal of garbage.

3.

No person shall throw or deposit litter in any fountain, pond, lake, stream, lagoon, or any other body of water in a park or elsewhere within the city.

B.

Standard for Parking Lots and Similar Structures. Persons owning or operating a parking lot, gas station pavement or similar structure shall clean those structures as frequently and thoroughly as practicable in a manner that does not result in discharge of pollutants to the city storm sewer system.

C. Best Management Practices for New Developments and Redevelopments. Any construction contractor performing work in the city shall endeavor, whenever possible, to provide filter materials at the catch basin to retain any debris and dirt flowing in to the city's storm sewer system. The director of public works/city engineer may establish controls on the volume and rate of storm water runoff from new developments and redevelopments as may be appropriate to minimize the discharge and transport of pollutants.

D. Notification of Intent and Compliance With General Permits.

1. Each industrial discharger, discharger associated with construction activity, or other discharger, described in any general storm water permit addressing such discharges, as may be adopted by the United States Environmental Protection Agency, the State Water Resources Control Board, or the California Regional Water Quality Control Board, San Francisco Bay Region, shall provide notice of intent, comply with, and undertake all other activities required by any general storm water permit applicable to such discharges.

2. Each discharger identified in an individual NPDES permit relating to storm water discharges shall comply with and undertake all activities required by such permit.

E. Compliance With Best Management Practices. Where best management practices, guidelines or requirements have been adopted by any federal, state of California, regional and/or city agency, for any activity, operation or facility which may cause or contribute to storm water pollution or contamination, illicit discharges, and/or discharge of nonstorm water to the storm water system, every person undertaking such activity or operation, or owning or operating such facility shall comply with such guideline or requirements as may be identified by the director of public works/city engineer.

(Ord. 407 § 3(part), 1996; Ord. 392 § 2(part), 1994).

13.06.180 - Watercourse protection.

Every person owning property through which a watercourse passes, or such person's lessee or tenant, shall keep and maintain that part of the watercourse within the property reasonably free of trash, debris, excessive vegetation, and other obstacles which would pollute, contaminate, or significantly retard the flow of water through the watercourse; shall maintain existing privately-owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse; and shall not remove healthy bank vegetation beyond that actually necessary for the maintenance, nor remove the vegetation in such a manner as to increase the vulnerability of the watercourse to erosion.

No person shall permit or cause to be committed any of the following acts, unless a written permit has first been obtained from the director of public works/city engineer.

- A. Discharge into or connect any pipe or channel to a watercourse;
- B. Modify the natural flow of water in a watercourse;
- C. Carry out development within thirty (30) feet of the center line of any creek or twenty (20) feet of the top of a bank;
- D. Deposit in, plant in, or remove any material from a watercourse including the banks, except as required for necessary maintenance;
- E. Construct, alter, enlarge, connect to, change, or remove any structure in a watercourse; or
- F. Place any loose or unconsolidated material along the side of or within a watercourse or so close to the side as to cause a diversion of the flow, or to cause a probability of such material being carried away by storm waters passing through such watercourse.

(Ord. 407 § 3(part), 1996; Ord. 392 § 2(part), 1994).

13.06.190 - Authority to inspect.

Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever an authorized enforcement official has reasonable cause to believe that there exists in any building or upon any premises any condition which constitutes a violation of the provisions of this chapter, the official may enter such building or premises at all reasonable times to inspect the same or perform any duty imposed upon the official by this chapter; provided that (1) if such building or premises be occupied, he or she shall first present proper credentials and request entry; and (2) if such building or premises be unoccupied, he or she shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry.

Any such request for entry shall state that the property owner or occupant has the right to refuse entry and that in the event such entry is refused, inspection may be made only upon issuance of a search warrant by a duly-authorized magistrate. In the event the owner and/or occupant refuses entry after such request has been made, the official is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

Routine or area inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including but not limited to random sampling and/or sampling in areas with evidence of storm water contamination, illicit discharges, discharge of nonstorm water to the storm water system, or similar factors.

A. Authority to Sample and Establish Sampling Devices. The city shall have the right to establish on any property such devices as are necessary to conduct sampling or metering operations. During all inspections as provided herein, the official may take any samples deemed necessary to aid in the pursuit of the inquiry or in the recordation of the activities on-site.

B. Notification of Spills. As soon as any person in charge of a facility or responsible for emergency response for a facility has knowledge of any confirmed or unconfirmed release of materials, pollutants or waste which may result in pollutants or nonstorm water discharges entering the city storm sewer system, such person shall take all necessary steps to ensure the discovery and containment and clean-up of such release and shall notify the city of the occurrence by telephoning 911 and confirming the notification by correspondence to the city of Brisbane Public Works Department.

C. Requirement to Test or Monitor. Any authorized enforcement official may request that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to storm water pollution or contamination, illicit discharges, and/or discharge of nonstorm water to the storm water system, undertake such monitoring activities and/or analyses and furnish such reports as the official may specify. The burden, including costs, of these activities, analyses and reports shall bear a reasonable relationship to the need for the monitoring, analyses and reports and benefits to be obtained. The recipient of such request shall undertake and provide the monitoring, analyses and/or reports requested.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.200 - Violation—Penalties.

The violation of any of the provisions of this chapter shall constitute an infraction, punishable by the fines, penalties and enforcement provisions set forth in Chapters 1.14, 1.16 and 1.18 of this code. Such fines, penalties and enforcement provisions are cumulative and shall be in addition to any other enforcement remedies specified in this chapter.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

(Ord. No. 554, § 45, 1-18-11)

13.06.210 - Penalty for delinquent storm water charges.

If storm water charges are delinquent for a period of sixty (60) days, a penalty of ten (10) percent of the amount owed for delinquent storm water charges shall be imposed. If storm water charges are delinquent for a period of one hundred twenty (120) days, an additional penalty of one and one-half (1½) percent per month shall be paid.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

(Ord. No. 554, § 46, 1-18-11)

13.06.220 - Concealment.

Causing, permitting, aiding, abetting or concealing a violation of any provision of this chapter shall constitute a violation of such provision.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.230 - Acts potentially resulting in violation of federal Clean Water Act and/or Porter-Cologne Act.

Any person who violates any provision of this chapter, any provision of any permit issued pursuant to this chapter, or who discharges waste or waste water which causes pollution, or who violates any cease and desist order, prohibition, or effluent limitation, may also be in violation of the federal Clean Water Act and/or Porter-Cologne Act and may be subject to the sanctions of those acts including civil and criminal penalty. Any enforcement action authorized under this chapter should also include notice to the violator of such potential liability.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.240 - Violations deemed a public nuisance.

In addition to the penalties hereinbefore provided, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to the public health, safety and welfare, and is declared and deemed a nuisance, and may be summarily abated and/or restored by any authorized enforcement official, and/or civil action to abate, enjoin or otherwise compel the cessation of such nuisance may be taken by the city attorney.

The cost of such abatement and restoration shall be borne by the owner of the property and the cost thereof shall be a lien upon and against the property and such lien shall continue in existence until the same shall be paid. If the lien is not satisfied by the owner of the property within three (3) months after the completion by the authorized enforcement official of the removal of the nuisance and the restoration of the property to its original condition, the property may be sold in satisfaction thereof in a like manner as other real property is sold under execution.

If any violation of this chapter constitutes a seasonal and recurrent nuisance, the city council shall so declare. Thereafter such seasonal and recurrent nuisance shall be abated every year without the necessity of any further hearing.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.250 - California Code of Civil Procedure Section 1094.6.

Section 1094.6 of the California Code of Civil Procedure is applicable to judicial review of city decisions pursuant to this chapter.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.260 - Appeals.

A. Public Works Director/City Engineer. Any discharger affected by any decision, action, or determination, including assessments and abatement order, made in interpreting or implementing the provisions of this chapter, or any permit issued hereunder, may file with the public works director/city engineer a written request for review of such decision, action, or determination, setting forth in detail the facts supporting the request no later than ten (10) days from date of decision. The public works director/city engineer shall complete the review and issue a written determination within ten (10) days after receipt of the request, unless the director of public works/city engineer or his/her designee reasonably extends the time thereof.

B. Written Appeal to City Manager. Any person shall have a right to appeal any determination made pursuant to any authority provided by this chapter to the city manager to exhaust administrative remedies, by filing with the city manager a written notice of appeal. Incorporated herein by reference, and applicable to this chapter herein, is the appeals process lawfully enacted by Chapter 3.32, Section 3.32.070 of the Brisbane Municipal Code.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.270 - Civil actions.

In addition to any other remedies provided in this section, any violation of this chapter may be enforced by civil action brought by the city. In any such action, the city may seek, and the court shall grant, as appropriate, any or all of other following remedies:

- A. A temporary and/or permanent injunction;
- B. Assessment of the violator for the costs of any investigation, inspection, or monitoring survey which led to the establishment of the violation, and for the reasonable costs of preparing and bringing legal action under this subsection;
- C. Costs incurred in removing, correcting, or terminating the adverse effects resulting from the violation;
- D. Compensatory damages for loss or destruction to water quality, wildlife, fish and aquatic life. Assessments under this subsection shall be paid to the city to be used exclusively for costs associated with monitoring and establishing storm water discharge pollution control systems and/or implementing or enforcing the provisions of this chapter.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.280 - Administrative enforcement powers.

In addition to the other enforcement powers and remedies established by this chapter and the administrative enforcement provisions established by Chapters 1.16 and 1.18 of this code, any authorized enforcement official has the authority to utilize the following administrative remedies.

A.

Cease and Desist Orders. When an authorized enforcement official finds that a discharge has taken place or is likely to take place in violation of this chapter, the official may issue an order to cease and desist such discharge, or practice, or operation likely to cause such discharge and direct that those persons not complying shall: (1) comply with the requirement; (2) comply with the time schedule for compliance, and/or (3) take appropriate remedial or preventive action to prevent the violation from recurring.

B.

Notice to Clean. Whenever an authorized enforcement official finds significant oil, earth, dirt, grass, weeds, dead trees, tin cans, rubbish, refuse, waste or any other material of any kind, in or upon the sidewalk abutting or adjoining any parcel of land, or upon any parcel of land or grounds, which may result in an increase in pollutants entering the city storm sewer system, he or she may give notice to remove such oil, earth, dirt, grass, weeds, dead trees, tin cans, rubbish, refuse waste or other material, in any manner that he or she may reasonably provide. The recipient of such notice shall undertake the activities as described in the notice.

C.

A cease and desist order or a notice to clean shall constitute an administrative compliance order governed by the provisions of Chapter 1.18 of this code, and shall be issued and enforced in the same manner as specified therein.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

(Ord. No. 554, § 47, 1-18-11)

13.06.290 - Reserved.

Editor's note—

Ord. No. 554, § 48, adopted January 18, 2011, repealed § 13.06.290, which pertained to authority to arrest or issue citations and derived from Ord. No. 392, 1994 and Ord. No. 407, 1996.

13.06.300 - Remedies not exclusive.

Remedies under this chapter are in addition to and do not supersede or limit any and all other remedies, civil or criminal. The remedies provided for herein shall be cumulative and not exclusive.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

13.06.310 - Coordination with hazardous materials inventory and response program.

The first revision of the business plan for any facility subject to the city's hazardous materials inventory and response program shall include a program for compliance with this chapter, including the prohibitions on nonstorm water discharges and illicit discharges, and the requirement to reduce storm water pollutants to the maximum extent practicable.

(Ord. 407 § 3(part), 1996: Ord. 392 § 2(part), 1994).

GRADING ORDINANCE – CHAPTER 15.01

15.01.010 - Title.

This chapter shall be known as the "City of Brisbane Grading Ordinance" and may be so cited.

(Ord. 346 § 2(part), 1989).

15.01.020 - Purpose.

The purpose of this chapter is to provide for grading operations; to safeguard life, limb, health, property and public welfare; and to preserve and enhance the natural environment, including but not limited to water quality, by regulating and controlling clearing and grading of property within the city.

(Ord. 346 § 2(part), 1989).

15.01.030 - Scope.

This chapter amends Chapter 70 of the Uniform Building Code by the addition thereto of this chapter and sets forth rules and regulations to control excavation, land disturbances, land fill and soil storage and erosion and sedimentation resulting from such activities. This chapter provides that all excavation or landfilling activities or soil storage shall be undertaken in a manner designed to minimize surface runoff, erosion and sedimentation. This chapter also establishes procedures for the issuance, administration and enforcement of grading permits.

(Ord. 346 § 2(part), 1989).

15.01.040 - Definitions.

When used in this chapter, the following words shall have the meanings ascribed to them in this chapter:

1.

"Applicant" means any person, corporation, partnership, association of any type, public agency or any other legal entity that submits an application to the city engineer for a permit pursuant to this chapter.

2.

"As-graded" means the surface conditions extant on completion of grading.

3.

"Bedrock" means in-place solid rock.

4.

"Bench" means a relatively level step excavated into earth material. Bench also includes terraces.

5.

"Best management practices" means a technique or series of techniques which, when used in an erosion control plan, is proven to be effective in controlling construction-related runoff, erosion and sedimentation.

6.

"Borrow" means earth material acquired from an off-site location for use in grading on a site.

7.

"City" means the city of Brisbane.

8.

"City engineer" means city engineer of the city of Brisbane and his/her duly authorized designees.

9.

"City street" means any public or private street in the city of Brisbane.

10.

"Civil engineer" means a professional engineer registered in the state of California to practice in the field of civil engineering.

11.

"Civil engineering" means the application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design and construction of civil works for the beneficial uses of mankind.

12.

"Compaction" means the densification of a fill by mechanical means.

13.

"Contour rounding" means the rounding of cut and fill slopes in the horizontal and/or vertical planes to blend with existing contours or to provide horizontal variation, to eliminate the artificial appearance of slopes. (See Figure 1)

14.

"Drainageway" means natural or manmade channel which collects and intermittently or continuously conveys stormwater runoff.
15.
"Dry season" means the period from April 15th to October 15th.
16.
"Earth material" means any rock, natural soil, fill or combination thereof.
17.
"Engineering geologist" means a geologist experienced and knowledgeable in engineering geology and qualified to practice engineering geology in the state of California.
18.
"Engineering geology" means the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.
19.
"Erosion" means the wearing away of the ground surface as a result of the movement of wind or water.
20.
"Excavation" means any act by which earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed, including the conditions resulting therefrom.
21.
"Fill/land fill" means any act by which earth, sand, gravel, rock or any other similar material is deposited, placed, pushed, pulled or transported to a place other than the place from which it was excavated, including the conditions resulting therefrom.
22.
"Final erosion and sediment control plan (final plan)" means a set of best management practices or equivalent measures designed to control surface runoff and erosion and to retain sediment on a particular site after all other planned final structures and permanent improvements have been erected or installed.
23.
"Grade" means the vertical location of the ground surface.
a.
"Existing grade" means the grade prior to grading.
b.
"Rough grade" means the stage at which the grade approximately conforms to the approved plan.
c.
"Finish grade" means the final grade of the site which conforms to the approved plan.
24.
"Grading" means any land disturbance or excavation or fill or any combination thereof and shall include the conditions resulting from any land disturbance, excavation or fill. Grading shall include trenching on public or private property including within public streets.
25.
"Grading permit" means the formal approval required by this chapter for any grading, filling, excavating, storage or disposal of soil or earth materials or any other excavation or land filling activity. Application to the city engineer and the city engineer's approval is required under the process of this chapter.
26.
"Interim erosion and sediment control plan (interim plan)" means a set of best management practices or equivalent measures designed to control surface runoff and erosion and to retain sediment on a particular site during the period in which construction-related excavations, fills and soil storage occur, and before the final plan is completed.
27.
"Key" means a designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.
28.
"Manual of standards" means ABAG Manual of Standards for Surface Runoff Control Measures (Latest Revision).
29.
"Permittee" means the applicant in whose name a valid permit is duly issued pursuant to this chapter and his/her agents, employees and others acting under his/her direction.
30.
"Sediment" means earth material deposited by water or wind.
31.
"Site" means a parcel or parcels of real property owned by one or more than one person which is being or is capable of being developed as a single project, including phased construction. Site also includes any public or private property or rights-of-way on which excavation, fill or land disturbance is provided.
32.
"Slope" means an inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance.
33.
"Soil" means naturally occurring superficial deposits overlying bedrock.
34.
"Soils engineer" means a civil engineer experienced and knowledgeable in the practice of soils engineering. Soils engineer and geotechnical engineer are synonymous.
35.
"Soils engineering" means the application of the principles of soil mechanics in the investigation, evaluation and design of improvements involving the use of earth materials and the inspection and testing of the construction thereof. Soils engineering and geotechnical engineering are synonymous.
36.
"Structure" means anything built or constructed including pavement and pipelines.
37.
"Temporary erosion control" consists of, but is not limited to, constructing such facilities and taking such measures as are necessary to prevent, control, and abate water, mud and wind erosion damage to public and private property during grading operations.
38.
"Terrace" means a relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes. Terrace also includes benches.
39.
"Truck haul" means the movement over public streets of any excavated material.
40.
"Vertical slope rounding" means the rounding of the top and toes of cut and fill slopes.
41.
"Wet season" means the period from October 15th to April 15th.

(Ord. 346 § 2(part), 1989).

15.01.050 - Precautions imposed by city engineer.

If, at any stage of grading, the city engineer determines by inspection that conditions are such that further work as authorized by an existing permit is likely to endanger any property or public way, the city engineer may require, as a condition to allowing the work to be continued, that reasonable safety precautions be formulated by the permittee and submitted to the city engineer for his/her consideration and the permit be amended to avoid such danger. "Safety precautions" may include but shall not be limited to specifying a flatter exposed slope, construction of additional drainage facilities, berms, terracing, compaction, cribbing, or retaining walls or planting of slopes.

The sole and primary responsibility of meeting the requirements of this section and of this chapter for any civil or criminal liability as a result of the exercise of this permit shall be upon the permittee. The city, city engineer, its employees or agents shall in no way be responsible for said liability.

(Ord. 346 § 2(part), 1989).

15.01.060 - Other laws.

Neither this chapter nor any administrative decision made under it:

- A. Exempts the permittee from complying with other applicable laws or from procuring other required permits or complying with the requirements and conditions of such a permit; or
- B. Limits the right of any person to maintain, at any time, any appropriate action, at law or in equity, for relief or damages against the permittee arising from the permitted activity; or
- C. Exempts any person from complying with any applicable laws or allows any person to perform any grading without complying with such other applicable laws.

(Ord. 346 § 2 (part), 1989).

15.01.080 - Permit required.

Except as exempted under Section 15.01.084, it shall be unlawful for any person to grade, fill, excavate, store or dispose of soil and earth materials or perform any other excavation or land-filling activity without first obtaining a grading permit as set forth in this chapter. A separate grading permit shall be required for each site. With respect to subdivisions, a separate permit will be required for each phase of development. The grading permit issued for each site may also cover the utility construction associated with the site provided the required information for the utilities is included with the application. A building permit shall not be issued prior to the issuance of a grading permit, when required.

(Ord. 346 § 2(part), 1989).

15.01.084 - Exemptions.

A grading permit shall not be required in the following instances:

- A. Exploratory excavations and trenches under the direction of a soils engineer or engineering geologist, provided all excavations are properly backfilled. All such excavations and trenches are subject to the applicable sections of Title 8 of the State Safety Order, Division of Industrial Safety.
- B. An excavation which does not exceed five (5) cubic yards on any one site and is less than two (2) feet in vertical depth and which does not create a cut slope steeper than two feet horizontal to one vertical (2:1). Such excavation, however, is not exempt from the requirements of Sections 15.01.180 and 15.01.190.
- C. A fill less than one foot in depth placed on natural grade with a slope flatter than five horizontal to one vertical (5:1), which does not exceed five (5) cubic yards on any one site and does not obstruct a drainageway. Such fill, however, is not exempt from the requirements of Section 15.01.180.
- D. Grading in connection with dredging operations in San Francisco Bay for which approval for such grading has been granted by the city under other permits or agreements.
- E. Grading in connection with the operation of salvage, garbage and disposal dumps for which approval for such grading has been granted by the city under other permits or agreements.

F. Emergencies posing an immediate danger to life or property, or substantial flood or fire hazards, or interruption of utility services to the public, in which case a permit shall be obtained as soon as possible.

G. Excavation by public utilities in connection with the placement of facilities, including repair and maintenance of local utility distribution and service utilities, if such excavation is authorized by a valid street encroachment permit.

(Ord. 475 § 1, 2002; Ord. 346 § 2(part), 1989).

15.01.092 - Site map and grading plan.

The site map and grading plan shall contain all the following information unless waived or modified by the city engineer:

- A. Plan views and cross sections showing the existing and proposed topography of the site. The plan view shall show contours at an interval sufficiently detailed to define the topography over the entire site. The minimum contour interval shall be two feet where ground slope is less than fifteen (15) percent and five (5) feet where ground slope exceeds fifteen (15) percent;
- B. Two contour intervals off-site and extension of the on-site contours a minimum of one hundred (100) feet off-site, and sufficient to show on and off-site drainage;
- C. An accurate plat plan drawn by a registered civil engineer or licensed land surveyor showing the site's exterior boundaries in true location with respect to the plan's topographic information, all easements, boundaries of the "Habitat Conservation Plan" area, special districts, and any other pertinent information;
- D. Location and graphic representation of all existing and proposed natural and manmade drainage facilities;
- E. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of the proposed work, together with a map showing the drainage area and the estimated runoff of the area served by any drain;
- F. Location and graphic representation of proposed excavation and fills, of on-site storage of soil and other earthen material, and of on-site disposal of soil and other earthen material;
- G. Location of existing vegetation types and the location and type of vegetation to be left undisturbed;
- H. Location of proposed final surface runoff, and of erosion and sediment control measures;
- I. Quantity of soil or earthen materials in cubic yards to be excavated, filled, stored or otherwise removed from or utilized on-site;
- J. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners which are within fifteen (15) feet of the property or which may be affected by the proposed grading operations;
- K. Location and slope of proposed streets and driveways. Driveways shall not exceed a centerline slope of twenty (20) percent and, unless specifically approved by the city engineer, streets shall not exceed a centerline slope of fifteen (15) percent.

(Ord. 346 § 2(part), 1989).

15.01.093 - Interim erosion and sediment control plan (interim plan).

An interim plan containing all of the following information shall be provided with respect to conditions existing on the site during excavation or filling activities or soil storage and before the final plan is completed:

- A. The location and amount of runoff discharging from the site, calculated using a method approved by the city engineer;
- B. A delineation and brief description of the measures to be undertaken to control erosion caused by surface runoff and by wind and to retain sediment on the site including, but not limited to, the design and specifications for berms and sediment detention basins, types and method of applying mulches, the design and specifications for diverters, dikes and drains, seeding methods, the type, location and extent of pre-existing and undisturbed vegetation types, and a schedule for maintenance and upkeep.

The location of all the measures listed by the applicant under subsection (B) above shall be depicted on the site map and grading plan, or on a separate plan, at the discretion of the city engineer.

An estimate of the cost of implementing and maintaining all interim erosion and sediment control measures shall be submitted in a form acceptable to the city engineer.

The applicant may propose the use of any erosion and sediment control techniques in the interim plan provided such techniques are proven to be as or more effective than the equivalent best management practices contained in the manual of standards.

(Ord. 346 § 2(part), 1989).

15.01.094 - Final erosion and sediment control plan (final plan).

A final plan containing all of the following information shall be provided with respect to conditions existing on the site after final structures and improvements (except those required under this section) have been completed:

- A. The location and amount of runoff discharging from the site, calculated using a method approved by the city engineer;
- B. A description of and specifications for sediment retention devices;
- C. A description of and specifications for surface runoff and wind erosion control devices;
- D. A description of vegetative measures;
- E. A graphic representation of the location of all items in subsections B through D above, and items A through K in 15.01.092 above.

An estimate of the costs of implementing all final erosion and sediment control measures must be submitted in a form acceptable to the city engineer.

The applicant may propose the use of any erosion and sediment control techniques in the final plan provided such techniques are proven to be as or more effective than the equivalent best management practices contained in the manual of standards.

(Ord. 346 § 2(part), 1989).

15.01.095 - Soils engineering report (soils report).

A soils report, when required by the city engineer, is to be prepared by an approved soils engineer and shall be based on adequate and necessary test borings, and shall contain all the following information, in addition to the minimum requirements of Chapter 70 of the latest edition adopted by the city of the Uniform Building Code:

- A. Data regarding the nature, distribution, strength, and erodibility of existing soils;
- B. Data regarding the nature, distribution, strength and erodibility of soil to be placed on the site, if any;
- C. Conclusions and recommendations for grading procedures;
- D. Conclusions and recommended designs for soil stabilization for interim conditions and after construction is completed;
- E. Design criteria for corrective measures when necessary;
- F. Foundation and pavement design criteria when necessary;
- G. Opinions and recommendations covering suitability of the site for the proposed uses;
- H. Other recommendations, as necessary, commensurate with the project grading and development.

Recommendations included in the report and approved by the city engineer shall be incorporated in the grading plan.

(Ord. 346 § 2(part), 1989).

15.01.097 - Work schedule and transport routes.

The applicant shall submit a master work schedule showing the following information:

- A. Proposed grading schedule;
- B. Proposed conditions of the site on each July 15th, August 15th, September 15th, October 1st and October 15th during which the permit is in effect;
- C. Proposed schedule for installation of all interim erosion and sediment control measures including, but not limited to, the stage of completion of erosion and sediment control devices and vegetative measures on each of the dates set forth in subsection UL;
- D. Schedule for construction of the proposed improvements on the site;
- E. Schedule for installation of permanent erosion and sediment control devices where required.

The applicant shall also submit a description of the routes of travel to be used for access to and from the site for removing excavated material and bringing in fill or other materials.

(Ord. 346 § 2(part), 1989).

15.01.130 - Appeals.

Any person may appeal to the planning commission the issuance, denial or conditions of a grading permit, the suspension after a hearing by the city engineer, or the revocation of a grading permit, or the failure to suspend or revoke a grading permit. Any such appeal shall be in writing and shall be filed with the planning department within fifteen (15) days after the action complained of. The appeal shall be accompanied by a fee, as set by the city council, and shall clearly state the reason for appeal. Upon receipt of such an appeal, the planning department, acting under the direction of the planning director, shall bring the appeal before the planning commission within thirty (30) days and shall notify the appellant and (if different) the applicant of the date and time of the planning commission meeting at which the appeal will be heard. No other notice need be given, except such additional notice as may be required by state or other law. The planning commission shall proceed to hear and determine the appeal at the same meeting or at such later meeting as it shall determine, and in connection therewith may continue the same from time to time.

The action of the planning commission may be appealed to the city council as set forth in Chapter 17.52 of this code.

(Ord. 346 § 2(part), 1989).

15.01.140 - Revised plans.

If the city engineer finds the soil or other conditions to not be as stated in the application for a grading permit, he/she may immediately suspend the grading permit, and permittee shall cease all work on the work site, excepting work to make the site safe, until approval is obtained from the city engineer for revised plans which conform to the existing conditions.

(Ord. 346 § 2(part), 1989).

15.01.150 - Cessation of operations.

In the event the operation of any activity regulated by this chapter voluntarily ceases for a continuous period of more than ninety (90) days (which period is not stated in the approved work schedule per Section 15.01.097) then, in that event, the grading permit shall be null and void and the operation of said activity shall not be recommenced until a new grading permit is obtained as provided herein.

(Ord. 346 § 2(part), 1989).

15.01.170 - No improvements planned.

Where an applicant does not plan to construct permanent improvements on the site, or plans to leave portions of the site graded but unimproved, applicant must meet all the requirements of this chapter.

(Ord. 346 § 2(part), 1989).

15.01.190 - Grading permit, drainageway alteration.

No person shall alter an existing watercourse, channel, or revetment by excavating, or placing fill, rock protection or structural improvements without a valid grading permit, unless waived by the city engineer, or unless the work is performed as interim protection under an emergency situation (Section 15.01.084(H)). Refer to Section 15.01.100(B) and (C) for fees.

(Ord. 346 § 2(part), 1989).

15.01.210 - Issuance of grading permits.

The city engineer may issue a grading permit upon receipt and approval of the items listed in Section 15.01.090. Permits shall be issued subject to the following conditions:

A.

The permittee shall maintain a copy of the permit and all approved plans and reports, required under Sections 15.01.090 and 15.01.230(B), on the work site and the permit, plans and reports shall be available for public inspection during all working hours;

B.

The permittee shall, at all times, conduct operations in conformity with approved site map, grading plan, and other required plans and reports.

C.

The permittee shall comply with other conditions imposed by the city engineer as are reasonably necessary to prevent the proposed operations from being conducted in such a manner as to constitute or create a nuisance or a hazard to life or property. Such conditions may include but are not limited to:

1.

The route and time of travel over public streets so as to cause the least interference with general traffic and to cause the least damage to public streets;

2.

The removal of rock, earth or other material that may be deposited on public streets by reason of said grading operations;

3.

The payment to city of the cost of repairing damage to public streets caused by trucking operations in connection with said grading operations;

4.

The installation of suitable fencing, barricades and lighting surrounding the grading operations.

D.

The permittee shall implement temporary erosion control as necessary to protect public and private property. Temporary erosion control shall be continuous throughout the work.

E.

Permittee shall be knowledgeable of the conditions and/ or restrictions of the grading permit as outlined in applicable sections of this code, and as contained on the approved site map, grading plan, and other required plans and reports.

(Ord. 346 § 2(part), 1989).

15.01.240 - Implementation of permits.

A.

The permittee shall submit all reports as may be required in this section and in Sections 15.01.210 and 15.01.230 to the city engineer for review. The city engineer may require permittee to modify the site map and grading plan, interim or final plans, and maintenance methods and schedules. The city engineer shall notify the permittee in writing within a reasonable period of time of the requirement to modify and specify a reasonable period of time within which permittee must comply. All modifications are subject to city engineer's approval.

B.

The city engineer may inspect the site:

1.

Upon receipt of any report by permittee under provisions of Section 15.01.230(B);

2.

To verify completion of modifications required under Section 15.01.240(A);

3.

During and following any rainfall;

4.

At any other time, at the city engineer's discretion.

C.

Upon completion of the rough grading work and at the final completion of the work, the city engineer may require the following reports and drawings and supplements thereto:

1.

An as-graded grading plan prepared by the civil engineer including original ground surface elevations, as-graded ground surface elevations, lot drainage patterns and locations and elevations of all surface and subsurface drainage facilities. The civil engineer shall provide a statement that the work was done in general conformance with the final approved grading plan;

2.

A soil grading report prepared by the soils engineer including locations and elevations of field density tests, summaries of field and laboratory tests and other substantiating data and comments on any changes made during grading and their effect on the recommendations made in the soil engineering investigation report. The soils engineer shall provide a statement as to compliance of the work with his/her recommendations and as to the adequacy of the site for the intended use;

3.

An engineering geology report prepared by the geologist containing a final description of the geology of the site including any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. The geologist shall provide a statement as to compliance of the work with his/her recommendations and as to the adequacy of the site for the intended use as affected by geologic factors.

D.

No person shall in any way hinder or prevent the city engineer or any of his/her authorized representatives from entering and inspecting any property on which grading has been or is being done.

(Ord. 346 § 2(part), 1989).

15.01.250 - Grading inspection.

All grading operations for which a permit is required shall be subject to inspection by the city engineer. When required by the city engineer, special inspection of grading operations and special testing shall be performed in accordance with the provisions of subsection B of this section.

In addition to complying with all requirements of Chapter 70 of the Uniform Building Code, as amended by this chapter, "regular grading" and "engineered grading" applicants/permittees shall be subject to and comply with the following:

A.

Engineered and Regular Grading Designation. Grading in excess of one thousand (1000) cubic yards and/or ten (10) feet vertical depth of cut and/or fill shall be performed in accordance with the approved grading plan prepared by a civil engineer, and shall be designated as "engineered grading." Grading involving less than one thousand (1000) cubic yards and/or less than ten (10) feet vertical depth of cut and/or fill shall be designated "regular grading" unless the applicant/permittee, with the approval of the city engineer, or the city engineer, independently, chooses to have the grading performed as "engineered grading."

B.

Engineered Grading Requirements. For engineered grading, it shall be the responsibility of the civil engineer who prepares the approved grading plan to incorporate all recommendations from the soil engineering and engineering geology reports into the grading plan. He shall also be responsible for the professional inspection and approval of the grading within his area of technical specialty. This responsibility shall include, but need not be limited to, inspection and approval as to the establishment of line, grade and drainage of the development area. The civil engineer shall act as the coordinating agent in the event the need arises for liaison between the other professionals, the contractor and the city engineer. The civil engineer shall also be responsible for the preparation of revised plans and the submission of as-graded grading plans and compliance statements upon completion of the work.

Soils engineering and engineering geology reports shall be required at the discretion of the city engineer. During grading, all necessary reports, compaction data, soils engineering and engineering geology recommendations shall be submitted to the owner, the geologist, the civil engineer and the city engineer by the soils engineer and the engineering geologist.

The soils engineer's area of responsibility shall include, but need not be limited to, the professional inspection and approval concerning the preparation of ground to receive fills, testing for required compaction, stability of all finish slopes and the design of buttress fills, where required, incorporating data supplied by the engineering geologist.

The engineering geologist's area of responsibility shall include, but need not be limited to, professional inspection and approval of the adequacy of natural ground for receiving fills and the stability of cut slopes with respect to geological matters and the need for subdrains or other groundwater drainage devices. He shall report his findings to the owner, the soils engineer, the city engineer and the civil engineer.

The city engineer shall inspect the project as required under Section 15.01.240 and at any more frequent interval necessary to determine that adequate control is being exercised by the professional consultants.

C.

Regular Grading Requirements. The city engineer may require the permittee to provide inspection and testing by a professional testing company acceptable to the city engineer.

The testing agency's responsibility shall include, but need not be limited to, approval concerning the inspection of cleared areas and benches to receive fill, and the compaction of fills.

When the city engineer has reasonable cause to believe that geologic factors may be involved, the grading operation will be required to conform to "engineered grading" requirements.

D.

Notification of Noncompliance. If, in the course of fulfilling their responsibility under this section, the civil engineer, the soils engineer, the engineering geologist, or the testing agency finds that the work is not being done in conformance with this section or the approved grading plans, the discrepancies shall be reported immediately in writing to the person in charge of the grading work and to the city engineer (see Section 15.01.230).

Recommendations for corrective action measures, if necessary, shall be submitted.

E.

Transfer of Responsibility for Approval. If the civil engineer, the soils engineer, the engineering geologist or the testing agency of record is changed during the course of the work, the work shall be stopped until the replacement has agreed to accept the responsibility within the area of their technical competence for approval upon completion of the work.

(Ord. 346 § 2(part), 1989).

15.01.260 - Removal of ground cover.

During the dry season, the natural vegetative ground cover of any watershed shall not be destroyed or removed more than thirty (30) days prior to grading. During the wet season, such ground cover shall not be destroyed or removed more than five (5) days prior to such grading. The city engineer may grant an extension of time when justified by the circumstances.

(Ord. 346 § 2(part), 1989).

15.01.270 - Wet season grading.

A.

Commencement or continuation of any grading during the wet season is prohibited unless permission is granted by the city manager as provided in this section.

- B. The city manager may, at his or her discretion, grant permission to commence or continue grading during the wet season, on the basis of the information submitted by the applicant or permittee, weather forecasts, experience or any other factors which he or she may consider pertinent, so long as such grading will not cause a hazardous condition, erosion or sedimentation to occur or continue.
- C. For continuance of grading activities, other than installation, maintenance or repair of measures in the interim or final erosion control plan, during the wet season, applicant/permittee shall submit evidence to the city manager, as often as said city manager requires, demonstrating that erosion and sedimentation are being effectively controlled.
- D. Applicant/permittee's failure to submit the required information to obtain permission for wet season grading activity shall result in suspension or revocation of the grading permit, action against the security, filing a lien on the property to recover city's costs, and/or prosecution as provided in Sections 15.01.370 through 15.01.395 of this chapter.

(Ord. 385 § 1, 1993; Ord. 346 § 2(part), 1989).

15.01.310 - Drainage and terracing.

- A. General. Unless otherwise indicated on the approved grading plan, drainage facilities and terracing shall conform to the provision of this section.
- B. Terrace. Terraces at least six (6) feet in width shall be established at not more than thirty (30) feet vertical intervals on all cut or fill slopes to control surface drainage and debris, except, that where only one terrace is required, it shall be at mid-height. For cut or fill slopes greater than sixty (60) feet and up to one hundred twenty (120) feet in vertical height, one terrace at approximately mid-height shall be twelve (12) feet in width. Terrace width and spacing for cut and fill slopes greater than one hundred twenty (120) feet in height shall be designed by the civil engineer and approved by the city engineer. Suitable access shall be provided to permit proper cleaning and maintenance.
- Swales or ditches on terraces shall have a minimum gradient along and towards the ditch of five (5) percent unless approved by the city engineer and must be paved with reinforced concrete not less than three (3) inches in thickness or an approved equal paving. They shall have a minimum depth at the deepest point of one (1) foot and a minimum, paved width of three (3) feet or as required by the city engineer.
- A single run of swale or ditch shall not exceed a length of one hundred fifty (150) feet or collect runoff from a tributary area exceeding thirteen thousand five hundred (13,500) square feet (projected) without discharging into a down drain, unless approved by the city engineer.
- C. Subsurface Drainage. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.
- D. Disposal. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the city engineer and/or other appropriate jurisdiction as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of nonerosive down drains or other devices.
- Building pads shall have a drainage gradient of two (2) percent toward approved drainage facilities, unless waived by the city engineer.
- Exception: the gradient from the building pad may be one (1) percent if all the following conditions exist throughout the permit area:
1. No proposed fills are greater than ten (10) feet in maximum depth;
 2. No proposed finish cut or fill slope faces have a vertical height in excess of ten (10) feet;
 3. No existing slope faces, which have a slope face steeper than ten (10) horizontally to one (1) vertically, have a vertical height in excess of ten (10) feet.
 4. A two (2) percent gradient is provided for the first five (5) feet adjacent to the structure.
- E. Interceptor Drains. Adequate provision shall be made to prevent any surface waters from damaging the cut face of an excavation or the sloping surface of a fill. At the discretion of the city engineer, paved interceptor drains shall be installed along the top of all cut slopes where the tributary drainage area above slopes towards the cut and has a drainage path greater than forty (40) feet measured horizontally. Interceptor drains shall be paved with a minimum of three (3) inches of concrete or gunite and reinforced. They shall have a minimum depth of twelve (12) inches and minimum paved width of thirty (30) inches measured horizontally across the drain or as required by the city engineer. The slope of drain shall be approved by the city engineer.

(Ord. 346 § 2 (part), 1989).

15.01.320 - Import and export of earth material.

On project sites where earth materials are moved on public roadways from or to the site, the following requirements shall apply:

- A. Either water or dust palliative or both must be applied for the alleviation or prevention of excessive dust resulting from the loading or transportation of earth from or to the project site on public roadways. The permittee shall be responsible for maintaining public rights-of-way used for hauling purposes in a condition free of dust, earth, or debris attributed to the grading operation.

B. Loading and hauling of earth from or to the site must be accomplished within the limitations established in Section 15.01.220 of this grading code.

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C.

Access roads to the premises shall be only at points designated on the approved grading plan.

D.

The last fifty (50) feet of the access road, as it approaches the intersection with the public roadway, shall have a grade not to exceed three (3) percent. There must be three hundred (300) feet clear, unobstructed sight distance to the intersection from both the public roadway and the access road. If the three hundred (300) feet sight distance cannot be obtained, flagmen and/or signs shall be posted.

E.

A stop sign conforming to the requirements of the California Vehicle Code shall be posted at the entrance of the access road to the public roadway.

F.

An advance warning sign must be posted on the public roadway four hundred (400) feet on either side of the access intersection, carrying the words "Truck Crossing." The sign shall be diamond shape, each side being thirty (30) inches in length, shall have a yellow background, and the letters thereon shall be five (5) inches in height. The sign shall be placed six (6) feet from the edge of the pavement and the base of the sign shall be five (5) feet above the pavement level. The advance warning sign shall be covered or removed when the access intersection is not in use.

(Ord. 346 § 2 (part), 1989).

15.01.330 - Site dust control.

The movement of earth materials either within, to, or from a site shall require the periodic implementation of dust control measures. On projects as determined by the city engineer, a water truck shall be continuously present on-site to assure maximum control.

(Ord. 346 § 2(part), 1989).

15.01.370 - Revocation or suspension of permits.

A.

Any grading permit may be suspended by the city engineer for the violation of any condition of the permit, the violation of any provision hereof or any other applicable law or ordinance, or the existence of any condition or the doing of any act constituting or creating a nuisance, threatening water quality, or endangering the lives or property of others. Upon written notification of suspension of permit, permittee shall cease all work on the work site, except work necessary to remedy the cause of the suspension.

B.

Following the suspension, the permittee shall be granted a hearing by said city engineer within five (5) days of the written notice of suspension. The written notice shall state, generally, the grounds of complaint and the time and place where such hearing will be held.

C.

At the conclusion of said hearing, and within thirty (30) days thereafter, the city engineer shall make his/her findings and notify, in writing, the permittee of the action taken.

D.

If permittee, after written notice of suspension, fails or refuses to cease work, as required under subsection A of this section, the city engineer may revoke the permit.

E.

The city engineer shall reinstate a suspended permit upon permittee's correction of the cause of the suspension.

F.

The city engineer shall not reinstate a revoked permit.

(Ord. 346 § 2(part), 1989).

15.01.380 - Penalties.

Any person, firm, association, joint venture, partnership, corporation or other legal entity who violates any provision of this chapter is guilty of a misdemeanor and shall be deemed guilty of a separate offense for each day during any portion of which any violation of any provision of this chapter is committed, continued, or permitted by such person, firm, association, joint venture, partnership, corporation or other legal entity, and upon conviction thereof shall be punished for each separate offense by a fine of not more than one thousand (1000) dollars or confinement in the county jail not to exceed one (1) year or both such fine and confinement.

(Ord. 346 § 2(part), 1989).

15.01.390 - Action against the security.

The city engineer may retain and/or execute security required by Section 15.01.098 if one of the conditions listed in subsections A through D below exists. The city engineer shall use funds from the appropriate security to finance remedial work undertaken by the city or private contractor under contract to the city, and to reimburse the city for all direct costs incurred in the process of the remedial work, including but not limited to the following conditions:

A.

The permittee cease land-disturbing activities and/or filling and abandons the work site prior to the completion of the work shown on the site map and grading plan;

B.

The permittee fails to conform to the conditions of the grading permit as approved or as modified under Section 15.01.210 and has had his/her permit revoked under Section 15.01.230;

C.

The techniques utilized under the interim or final erosion control plan fail within one (1) year of installation, or before a final erosion control plan is implemented for the site or portions of the site, whichever is later;

D.

The city engineer determines that action by the city is necessary to prevent excessive erosion from occurring on the site.

(Ord. 346 § 2(part), 1989).

15.01.395 - Public nuisance abatement.

The council of the city of Brisbane finds and declares that any work site on which grading has been started, and has been abandoned or is not completed in accordance with the site plan, grading plan and grading permit or on which the interim or final erosion control facilities have failed, or where on-site grading and erosion control facilities either are not working properly, or are considered inadequate or incomplete, create a danger to public health, safety and welfare, and constitutes a public nuisance. All duties of the city manager under this chapter may be delegated to other officers, agents or employees of the city.

A.

The public nuisance abatement procedures provided in this section are, at the city's option, an alternative to the procedures provided in Sections 15.01.390 and 15.01.350 or to any applicable procedures provided by state law or any other ordinance of the city.

B.

The city manager is authorized to abate each and every such nuisance or cause the same to be abated in the manner provided by the provisions of this section.

C.

Before abating any condition which is declared to be a public nuisance, the city manager shall post upon or in front of the property on which such nuisance exists, a notice which shall be substantially in the following form:

NOTICE TO ABATE NUISANCE OR REMOVE HAZARD

Notice is hereby given that grading on APN ---) is has been started and, (has been abandoned, (not in conformance with the site plan, grading plan and grading permit,) the) on-site grading and interim or final erosion control facilities have failed, (erosion control facilities are not complete, and that such condition creates a danger to the public health, safety and welfare and is a public nuisance which must be abated by immediately removing the hazard and/or by completing the planned permitted work.

If said nuisance is not abated or said hazard is not removed within three days from and after the date of posting of this notice, or if good cause is not shown to the undersigned within said three days why such should not be done, the city will abate such nuisance by removing or causing to be removed said hazard and completing or causing to be completed the planned permitted work, and in such event, the cost and expense of such removal and abatement will be specifically assessed upon or against the parcel of land from which the hazard is removed and on which the planned permitted work is completed and such assessment will constitute a lien upon the property until paid.

The above-mentioned parcel of land on which said public nuisance exists is situated in the city of Brisbane, county of San Mateo, state of California which is described in the last equalized assessment roll of the county of San Mateo as:

APN ---

All interested persons having any objection to the above shall present such objections to the undersigned city manager at city offices, Brisbane, California, within three days from and after the posting, herein specified, of this notice.

Posted/Mailed this _____
day of _____
19;yrule;.

CITY MANAGER OF THE CITY OF BRISBANE

By:

D.

Before abating any condition which is declared to be a public nuisance in this section, the city manager, in addition to posting of notice or notices as provided by subsection (C) of this section, may mail, or cause to be mailed, to the person or persons who are designated on the last equalized assessment roll of the county of San Mateo, as owner or owners of the parcel of land on which such nuisance exists, at their address or addresses as shown on the last equalized assessment roll, a written notice or notices which shall be substantially in the same form shown in subsection (C) above.

E. 1.

The owner or owners of any private parcel of land within or upon which a public nuisance, as described in this section, exists, have a duty to abate such nuisance at his, her or their own cost and expense by removing any hazard and completing any planned permitted grading within the time prescribed in the notice which is posted upon such property, or if notice is given by mail within the time prescribed in the mailed notice.

2.

If such owner or owners fail to abate such nuisance as above prescribed within said time, and if, in addition, they fail to show cause to the satisfaction of the city engineer why said nuisance should not be abated, then in that event the city may abate said nuisance or cause same to be abated.

F.

In order to abate said nuisance, the city may cause the removal of said nuisance and complete the planned permitted work, or perform such other work as may be necessary or appropriate to abate the nuisance or may cause a licensed contractor to abate the nuisance in such manner for reasonable rates not in excess of prevailing rates for similar work within the city.

G.

In the event the city manager finds that any public nuisance, above described in this section, within or upon any parcel of land is so serious and presents such an immediate menace or danger to the public health, safety and welfare that such nuisance should be immediately abated without first posting or mailing notices, as above provided, and without first giving the owner or owners of said parcel further time to abate the same, then in that event the city manager may immediately abate said nuisance or cause the same to be abated in the manner provided in subsection (F) of this section without first posting or mailing any notices and without giving the owner or owners of the parcel further time to abate the same. However, the city manager, if he or she abates such nuisance, shall prepare and file in his or her office a written report describing the location, nature and extent of the public nuisance and setting forth the reasons why he or she had to abate it immediately, as aforesaid, and he or she shall cause a copy of said report to be transmitted to the city manager and to be mailed within ten (10) days from and after completion of such abatement, to the owner or owners of the parcel within or upon which nuisance existed, as such owner or owners are shown on the last equalized assessment roll of the county of San Mateo, at their addresses as shown on said roll.

H.

The city manager shall keep a record of the cost and expense incurred by him or her in abating or causing to be abated, pursuant to this section, each public nuisance within or upon each separate parcel of land. To said costs and expenses, the city manager shall add an amount for overhead and administration and incidental expenses and shall submit them to the city council for confirmation an itemized written report showing all costs and expenses incurred by the city in abating each public nuisance.

I.

A copy of city manager's report to the city council shall be posted for at least ten (10) days prior to its submission to the city council at the usual place where city notices are posted, together with a notice of the time and place when and where it will be submitted to the city council for a hearing. The notice shall state a time and place when and where property owners may appear and object to any matter contained in the report.

J.

At the time fixed for receiving and considering the report, the city council shall hear it with any objections of the property owners liable to be assessed for the abatement. It may modify the report if it is deemed necessary. The city council shall then confirm the report by motion or resolution.

K.

After confirmation of the report, a certified copy of the same shall be filed with the county of San Mateo. The description of the parcels reported shall be those used for the same parcels on the county's assessor's map books for the current year.

L.

The cost of abatement within or upon each parcel of land, as confirmed, constitutes a special assessment against that parcel, and upon such confirmation it is a lien on the parcel.

M.

Laws relating to the levy, collection and enforcement of county taxes apply to such special assessment taxes.

N.

The appropriate county official shall enter each assessment on the county tax roll opposite the parcel of land.

O.

The amount of the assessment shall be collected at the time and in the manner of ordinary municipal taxes. If delinquent, the amount is subject to the same penalties and procedures of foreclosure and sale provided for ordinary municipal taxes.

P.

As an alternate method, the county tax collector, in his or her discretion, may collect the assessments without reference to the general taxes by issuing separate bills and receipts for the assessments.

Q.

The city finance director may receive the amount due on the abatement cost and issue receipts at any time after confirmation of the report and until August 1st of the calendar year in which the report is confirmed.

R.

The city council may order refunded all or part of a special assessment paid pursuant to this section if it finds that all or part of the special assessment has been erroneously levied. A special assessment or part shall not be refunded unless a claim is filed on or before March 1st next following the date the tax became due and payable. The claim shall be verified by the person who paid the tax, or his or her guardian, executor or administrator.

(Ord. 385 § 2, 1993).

15.01.410 - Cumulative enforcement procedures.

The procedures for enforcement of a permit, as set forth in this chapter, are cumulative and not exclusive.

(Ord. 346 § 2(part), 1989).

PUBLIC NUISANCE ABATEMENT – CHAPTER 8.36

8.36.010 - Nuisance defined.

Each and every one of the following conditions, circumstances, things, matters and acts is deemed a threat or detrimental to the public health, safety, or general welfare and is hereby declared to constitute a public nuisance:

- A.
Any building or structure, or portion thereof, which is in a substandard, dilapidated, or dangerous condition or state of disrepair so as to be unfit, unsafe, or unsuitable for human occupancy.
- B.
Any abandoned building or structure, which shall include any of the following:
1.
A building or structure which is not occupied, inhabited, used or secured. For the purposes of this section, a structure shall be deemed unsecured when it is unlocked or the public can gain entry without the consent of the owner.
 2.
Any partially constructed, reconstructed, or demolished building or structure upon which work is abandoned. Work shall be deemed to have been abandoned when there has been no substantial activity on the project for one hundred twenty consecutive days.
 3.
Any damaged or partially destroyed building or structure which has not been removed or repaired within one hundred twenty (120) days after the date on which the damage or destruction occurred, or, if the removal or repair cannot reasonably be accomplished within one hundred twenty (120) days, such work shall not have been commenced within such period of time and prosecuted diligently toward completion.
- C.
Any property maintained in such condition as to become so defective, unsightly, or in a state of such deterioration, disrepair or neglect that the same causes, or may cause, a health, safety or fire hazard, or a blight upon the aesthetic quality or appearance of the neighborhood, or an attractive nuisance to children, including, but not limited to, any of the following:
1.
Accumulation of debris, junk, garbage or refuse.
 2.
Storage in areas visible to public view of inoperative or dismantled motor vehicles or vehicle parts, building materials not currently being used for the construction of improvements on the site, abandoned and broken equipment or machinery, or parts thereof, and broken or discarded furniture, appliances or household furnishings.
 3.
Roadways, parking lots, driveways, paths or other paved surfaces with cracks, potholes or other deficiencies which pose a risk of harm to the public, or are in such state of deterioration or disrepair that the same cannot be safely utilized by emergency response vehicles or personnel.
- D.
Any building or structure which is constructed, altered, or maintained in violation of any specific requirement or provision applicable to such building or structure contained in the building codes or zoning regulations of the city or the state, or any other law or ordinance of the city or state relating to the condition, location or use of any building or structure. As used herein, the term "building codes" includes all administrative and technical uniform codes adopted by reference by the city or otherwise made applicable pursuant to state law.
- E.
Property, whether improved or in a natural state, having a topography, geology or configuration which causes or threatens to cause erosion, subsidence, unstable soil conditions, surface or subsurface drainage problems, damage to streets or roadways or to public utility installations, that will, or may, be injurious to the public or to adjacent properties.
- F.
Any violation of a statute, ordinance, rule, regulation or condition which is specifically declared therein as constituting the creation or existence of a public nuisance subject to abatement by the city.
- G.
Any other condition or circumstance, in addition to those described above, which, within the meaning of Section 3479 of the California Civil Code or Section 370 of the California Penal Code, is injurious to health, or is indecent or offensive to the senses, or constitutes an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any public highway, street, sidewalk, pathway, park, square, or other public place.

(Ord. 420 § 2(part), 1997).

8.36.020 - General prohibition-Abatement of nuisance-Penalties.

- A.
It is unlawful for any person owning, leasing, occupying or having charge or possession of any real property in the city to cause or permit the establishment, maintenance, or continuation thereof of any nuisance, as defined in Section 8.36.010 of this chapter; provided, however, that any condition which would constitute a nuisance but is duly authorized by any city, state, or federal law, or by any governmental agency having jurisdiction, shall not be deemed a violation of this chapter.
- B.
Any nuisance found to exist upon any real property, or any building or structure located thereon, may be abated by the procedures set forth in this chapter. Such procedures shall be cumulative and in addition to any other rights, remedies or proceedings available to the city under any law by reason of the existence of the nuisance, including commencement of civil proceedings for injunctive or other judicial relief, imposition of civil penalties, and the filing and prosecution of criminal charges.
- C.
Any person, whether as owner, tenant or occupant of any premises, who violates the provisions of this chapter shall be guilty of an infraction, punishable for a first conviction by a fine of not more than one hundred dollars (\$100.00), for a second conviction within a period of twelve months by a fine of not more than two hundred dollars (\$200.00), and for a third or any subsequent conviction within a period of twelve months by a fine of not more than five hundred dollars (\$500.00); provided, however, if any person shall be convicted twice for the same offense within any twelve (12) month period, the third and any subsequent commission of such offense within the same twelve month period may, in the discretion of the city attorney, be charged as a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1000.00), or by imprisonment in the county jail for a period not exceeding six (6) months, or by both such fine and imprisonment. Each day, or portion thereof, during which a violation of this chapter continues shall constitute a separate offense.

D.

In addition to any other penalties specified in this chapter or otherwise provided by law, upon entry of a second or subsequent civil or criminal judgment within any period of twenty-four months finding that an owner of property is responsible for a condition that may be abated in accordance with this chapter, except for conditions abated pursuant to Section 17980 of the Health and Safety Code, the owner shall be liable to the city for treble the amount of any costs incurred by the city for abatement of such conditions, as provided in Section 38773.7 of the Government Code.

(Ord. 420 § 2(part), 1997).

8.36.030 - Commencement of proceedings.

Whenever the chief of police, or the city planning director, or the city engineer, or their duly authorized representatives, or any person designated as a city code enforcement officer or building official, reasonably believes that a nuisance exists, that city official or representative may commence abatement proceedings under this chapter.

(Ord. 420 § 2(part), 1997).

8.36.040 - Right of entry.

Whenever necessary to make an inspection to enforce any of the provisions of this chapter or whenever any city official having authority to commence abatement proceedings hereunder has reasonable cause to believe that there exists in any building or upon any premises any condition or violation which makes such building or premises unsafe or constitutes a public nuisance as defined in this chapter, the city official, or his or her duly authorized representatives, may enter such building or premises at all reasonable times to inspect the same or to perform any action authorized to be taken pursuant to the provisions of this chapter; provided, that if such building or premises be occupied, the city official shall first present proper credentials and request entry; and if such building or premises be unoccupied, the City official shall first make a reasonable effort to locate the owner or other persons having charge or control over the operation or management of the building or premises and request entry. If such entry is refused, the city official, or his or her duly authorized representatives, shall have recourse to every remedy provided by law to secure entry, including an inspection warrant issued by any court having jurisdiction.

(Ord. 420 § 2(part), 1997).

8.36.050 - Notice of abatement hearing.

A.

The city official or representative initiating the abatement proceedings, hereinafter referred to as the "hearing officer" shall give written notice to each owner of the affected property, as indicated by the latest available county tax assessment roll, of a hearing to determine whether a nuisance does in fact exist upon the property which is subject to abatement under this chapter.

B.

The notice shall be given by regular mail, postage prepaid, addressed to each owner at the address shown on said tax assessment roll, and by conspicuously posting a copy of the notice on the affected property, at least ten (10) days prior to the scheduled hearing date. The failure by any person to receive a notice shall not affect the validity of any proceedings conducted under this chapter.

C.

The notice shall indicate the nature of the alleged nuisance, the description of the property involved, the time and place of the hearing to determine whether the described condition constitutes a nuisance, and the proposed manner of abatement if a nuisance is found to exist. The notice shall further advise that each owner has the option to voluntarily abate the nuisance and to inform the hearing officer that such action has been completed prior to the hearing date. Upon receipt of such information from a property owner, the hearing officer shall conduct an inspection of the premises and if the nuisance is found to have been satisfactorily abated, the hearing shall be canceled and written notice of such cancellation shall be given to the same persons who received notice of the abatement hearing.

(Ord. 420 § 2(part), 1997).

8.36.060 - Conduct of abatement hearing-Issuance of abatement order.

A.

The hearing to determine whether a nuisance exists shall be conducted by the hearing officer. The hearing officer shall consider all relevant evidence, including, but not limited to, applicable staff reports, objections or protests relative to the existence of the alleged nuisance or the manner proposed for abatement thereof. The hearing may be continued from time to time by the hearing officer, without further written notice.

B.

Upon the conclusion of the hearing, the hearing officer shall, based upon the evidence presented at the hearing, determine whether the property, or any portion thereof, constitutes a nuisance. If the hearing officer finds that a nuisance does exist, the hearing officer shall issue an order of abatement which shall direct and order the nuisance abated within the time and in the manner as specified in such order. The hearing officer shall serve a copy of the abatement order upon each owner of the property by mailing the same to the address utilized for mailing notice of the abatement hearing, or to such other address as may be known to the hearing officer. If the hearing officer determines that no nuisance, as defined by this chapter, exists upon the property, the hearing officer shall terminate the abatement proceedings and give written notice of such action to the property owner.

C.

The decision of the hearing officer with respect to the existence of a nuisance or the time and manner of abatement shall be final and conclusive in the absence of an appeal to the city manager being filed in accordance with Section 8.36.070 of this chapter.

(Ord. 420 § 2(part), 1997).

8.36.070 - Appeal of abatement order to city manager.

A.

The owner of the affected property or any other interested person may appeal any decision or determination by the hearing officer to the city manager by filing a written notice stating the grounds for the appeal with the city manager within seven (7) days after the date on which the decision or determination is rendered by the hearing officer.

B.

The city manager shall set the matter for a hearing to be conducted within fourteen (14) days after receipt of the notice of appeal and shall mail notice of such hearing to the property owner and to the appellant, if other than the owner. The hearing may be continued to a later date, at the discretion of the city manager.

(Ord. 420 § 2(part), 1997).

8.36.080 - Action by city manager.

A.

The city manager shall review the decision of the hearing officer and shall afford the property owner and any other interested persons an opportunity to be heard in connection with the appeal. If the city manager finds from the relevant evidence presented at the hearing that the alleged nuisance exists upon the affected property, the city manager shall issue an order for the abatement thereof within the time and in the manner as shall be specified in such order. The abatement order shall inform the property owner that if the nuisance is not satisfactorily abated in accordance with the terms and requirements of the order, the nuisance may be abated by the city and all costs and expenses incurred by the city in connection therewith will be made a lien against the property.

B.

The city clerk shall mail a copy of the abatement order to the property owner and to any other person submitting a request therefor. The city clerk may also record a certified copy of the abatement order in the office of the San Mateo County recorder.

C.

If the city manager finds that the alleged nuisance does not exist, or that such nuisance has voluntarily and successfully been abated by the property owner prior to the hearing date, the city manager shall terminate the abatement proceedings.

D.

Pursuant to Section 1094.6 of the California Code of Civil Procedure, any action or proceeding to attack, review, set aside, void or annul a decision by the city manager on an appeal taken pursuant to this section, or any of the proceedings, acts or determinations taken, done or made prior to such decision, or to determine the reasonableness, legality or validity of any abatement order issued pursuant to this chapter, shall be commenced within ninety (90) days after the date such decision is rendered by the city manager.

(Ord. 420 § 2(part), 1997).

8.36.090 - Abatement by the city.

In the event the property owner fails to abate the nuisance within the time or in the manner as specified in the abatement order issued by the hearing officer, or by the city manager in the case of an appeal, the city manager may cause the nuisance to be abated by the city's forces or by private contractors retained by the city, or any combination thereof. Entry upon the property is expressly authorized for the purpose of performing such abatement work. Ord. 420 § 2(part), 1997).

8.36.100 - Emergency abatement.

A.

If, in the reasonable opinion of the city manager, or the chief of police, or the city planning director, or the city engineer, there exists a condition which constitutes an imminent threat of serious injury or harm to any persons or property that is likely to occur during the pendency of abatement proceedings, such official may cause the condition to be summarily abated in accordance with the following procedure, without compliance with the provisions of the preceding sections of this chapter:

1.

The city official shall attempt to contact the owner, or other person having charge or control over the operation or management of the property, in person or by telephone to notify the responsible party that the condition must immediately be removed, repaired, corrected, or isolated so as to eliminate the imminent threat of serious injury or harm.

2.

If the attempt at personal contact is unsuccessful, or if the responsible party fails or refuses to take immediate and effective action to eliminate the threat after being requested to do so, the city official shall summarily abate the nuisance utilizing the city's own forces or independent contractors, or any combination thereof.

3.

All abatement costs incurred by the city shall be determined, confirmed and collected in accordance with the provisions of Sections 8.36.110 through 8.36.150 of this chapter.

B.

Nothing in this chapter shall prevent public safety officials from taking any and all actions in emergency situations they deem necessary or appropriate in order to protect the public health, safety, and general welfare.

(Ord. 420 § 2(part), 1997).

8.36.110 - Report of abatement costs.

A.

The city finance director shall keep an accounting of all costs and incidental expenses incurred by the city in connection with any nuisance abatement proceedings or actions conducted pursuant to this chapter. Such account shall indicate, where appropriate, the costs attributable to each separate parcel of land with respect to which abatement proceedings have been commenced or upon which abatement work has been performed by the city or its contractors. The term "incidental expenses" includes, but is not limited to, the actual expenses and costs of the city for conducting proceedings under this chapter; the preparation of specifications and contracts; inspection of the work; the cost of preparing and serving notices; attorneys fees and the fees of any other consultants providing professional services in connection with the abatement of the nuisance; and administrative staff costs. Costs and expenses may be recovered even if the nuisance is abated by the property owner.

B.

Costs shall be determined and assessed at the conclusion of the abatement proceedings; provided, however, in the case of an abatement by any method that takes more than six (6) months, costs may be determined and assessed at any time after six (6) months from the issuance of the final abatement order and periodically thereafter until all abatement proceedings have been fully completed.

C.

The finance director shall submit an itemized report of abatement costs to the city manager for confirmation. The city clerk shall serve a copy of such report upon the property owner by personal delivery or by regular mail addressed to the owner as shown on the latest available county assessment roll, or as otherwise known to the city clerk. The report of abatement costs shall be accompanied by a notice of the time and place when a hearing will be conducted by the city manager to consider confirmation of such report and levy or assessment of a lien against the affected property for collection of abatement costs. The report and notice shall be served upon the property owner at least ten (10) days prior to the scheduled date of the hearing.

(Ord. 420 § 2(part), 1997).

8.36.120 - Confirmation of abatement costs.

A.

At the time and place fixed in the notice of the confirmation hearing, the city manager shall consider the report of abatement costs submitted by the finance director and hear any protests or objections thereto by the property owner or any other interested persons. The hearing may be continued from time to time without further written notice.

B.

Upon the conclusion of the hearing, the city manager shall make such revisions, corrections or modifications to the report as may be necessary or appropriate, based upon the evidence presented at the hearing, and shall thereafter confirm the report as submitted or modified by issuing an order for collection of the abatement costs pursuant to either Section 8.36.140 or Section 8.36.150 of this chapter. The decision of the city manager shall be final and conclusive, in the absence of an appeal to the city council being filed in accordance with Section 8.36.130 of this chapter.

(Ord. 420 § 2(part), 1997).

8.36.130 - Appeal of collection order to city council.

A.

The owner of the affected property may appeal to the city council the order for collection of abatement costs issued by the city manager by filing a notice of appeal with the city clerk within ten (10) days after the date on which such order was rendered. The notice shall set forth the grounds for the appeal and shall be accompanied by the payment of a processing fee in such amount as may be established from time to time by resolution of the city council.

B.

The city clerk shall set the matter for hearing at a regular meeting of the city council as determined by the city clerk and shall mail notice of such hearing to the appellant and to any other interested person requesting the same.

C.

The city council shall either affirm the collection order issued by the city manager or make such modifications, amendments or corrections thereto as the council deems appropriate. A final order for the collection of abatement costs, as determined by the city council, shall thereupon be rendered by the council providing for the collection of such costs pursuant to either Section 8.36.140 or Section 8.36.150 of this chapter.

D.

Pursuant to Section 1094.6 of the California Code of Civil Procedure, any action or proceeding to attack, review, set aside, void or annul a decision by the city council on an appeal taken pursuant to this section, or any of the proceedings, acts or determinations taken, done or made prior to such decision, or to determine the reasonableness, propriety, legality or validity of any abatement costs levied or assessed as lien against any real property pursuant to this chapter, or any proceedings relating to such levy or assessment, shall be commenced within ninety (90) days after the date such decision is rendered by the city council.

(Ord. 420 § 2(part), 1997).

8.36.140 - Collection of costs as abatement lien.

A.

Pursuant to Section 38773.1 of the California Government Code, the order for collection of abatement costs issued by the city manager, or by the city council on appeal, may provide for such costs to be levied as an abatement lien against the property on which the nuisance was abated. In such event, notice of intent to record such lien shall be served upon the owner of the property, as shown by the latest available county assessment roll, in the same manner as service of a summons in a civil action in accordance with Article 3 (commencing with Section 415.10) of Chapter 4, Title 5, Part 2 of the Code of Civil Procedure. If the property owner, after diligent search, cannot be found, the notice may be served by posting a copy thereof in a conspicuous place upon the property for a period of ten (10) days and publication thereof in a newspaper having general circulation in the city.

B. Following service of the notice in accordance with subsection A of this section, the city clerk shall record the nuisance abatement lien against the affected property in the office of the San Mateo County recorder. From and after the date of such recording, the nuisance abatement lien shall have the same force, effect and priority as a judgment lien on real property and shall continue in effect until discharged by the city.

C. The nuisance abatement lien recorded pursuant to this section shall identify the city as the agency for whose benefit the lien is established, the amount of the lien, the date of the order for abatement of the nuisance, the date of the order for collection of abatement costs, the address, legal description and assessor's parcel number of the property on which the lien is imposed, and the name and address of the recorded owner of the property.

D. The nuisance abatement lien may be foreclosed by an action brought by the city for a money judgment. All costs and expenses relating to the processing, recording and enforcement of the abatement lien, including recording fees, noticing costs and attorney's fees, shall be added to the amount of the lien and shall be secured thereby.

E. Upon payment or other satisfaction of the abatement lien, a notice of discharge shall be prepared and recorded by the city clerk in accordance with Section 38773.1(c)(2) of the Government Code.

(Ord. 420 § 2(part), 1997).

8.36.150 - Collection of costs as special assessment.

A. As an alternative to the recording and foreclosure of an abatement lien pursuant to Section 8.36.140 of this chapter, the order for collection of abatement costs may provide that such costs shall, upon recording a certified copy of the order in the office of the San Mateo County recorder, be imposed as a special assessment against the property on which the nuisance was abated, in accordance with Section 38773.5 of the Government Code.

B. A certified copy of the order for collection of abatement costs shall be transmitted to the county tax assessor and tax collector, whereupon it shall be the duty of the tax assessor and tax collector to add the amount of abatement costs as a special assessment on the next regular bills for real estate taxes levied against the respective properties identified in the order. Thereafter, the special assessment shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure and sale in the case of delinquency as provided by law for ordinary municipal taxes.

(Ord. 420 § 2(part), 1997).

8.36.160 - Collection of costs as personal debt.

In addition to, or in lieu of, the methods of collection set forth in Sections 8.36.140 and 8.36.150 of this chapter, the city may bring a civil action against the owner of the property on which the nuisance is abated for recovery of all abatement costs as a personal indebtedness of such owner to the city.

(Ord. 420 § 2(part), 1997).

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ATTACHMENT 4-2 "C.4.b.iii(1) Potential Facilities
ACTIVE-SMCEH"

| Address Location | Am/Element | Facility ID | Record ID | Street Number | Street Name | City | Name |
|------------------|------------|-------------|-----------|---------------|--------------|----------|--|
| BRISBANE | 3090 | FA0027506 | PR0048614 | 100 | VALLEY | BRISBANE | LINCOLN BROADCASTING / KTSF |
| BRISBANE | 3090 | FA0028094 | PR0048638 | 150 | INDUSTRIAL | BRISBANE | SUNSET GARAGE, INC |
| BRISBANE | 3090 | FA0055154 | PR0076069 | 5000 | SIERRA POINT | BRISBANE | DOUBLETREE HOTEL SAN FRANCISCO AIRPORT NORTH |
| BRISBANE | 3090 | FA0000376 | PR0048649 | 50 | VISITACION | BRISBANE | BRISBANE INN |
| BRISBANE | 3090 | FA0055822 | PR0076927 | 150 | OLD COUNTY | BRISBANE | SUBWAY |
| BRISBANE | 3090 | FA0051935 | PR0072022 | 1000 | MARINA | BRISBANE | MANGIARE |
| BRISBANE | 3090 | FA0050559 | PR0070065 | 2000 | SHORELINE | BRISBANE | HOMWOOD SUITES BY HILTON-BRISBANE |
| BRISBANE | 3090 | FA0045994 | PR0061676 | 285 | INDUSTRIAL | BRISBANE | GENERATORS UNLIMITED |
| BRISBANE | 3090 | FA0022846 | PR0048587 | 36 | INDUSTRIAL | BRISBANE | BAYSHORE SANITARY DISTRICT |
| BRISBANE | 3090 | FA0050365 | PR0069296 | 427 | VALLEY | BRISBANE | FORWARD AIR, INC |
| BRISBANE | 3090 | FA0026661 | PR0048674 | 400 | VISITACION | BRISBANE | MADHOUSE COFFEE |
| BRISBANE | 3090 | FA0027337 | PR0048611 | 370 | INDUSTRIAL | BRISBANE | SUPERTECH AUTOBODY |
| BRISBANE | 3090 | FA0029424 | PR0050067 | 425 | VALLEY | BRISBANE | EXPEDITORS INTERNATIONAL |
| BRISBANE | 3091 | FA0015599 | PR0048576 | 27 | INDUSTRIAL | BRISBANE | BAYPORTER EXPRESS INC |
| BRISBANE | 3090 | FA0000915 | PR0048562 | 23 | INDUSTRIAL | BRISBANE | TIGERS AUTO BODY & PAINT |
| BRISBANE | 3090 | FA0017936 | PR0048583 | 11 | INDUSTRIAL | BRISBANE | LAZZARI FUEL COMPANY |
| BRISBANE | 3090 | FA0025547 | PR0048593 | 99 | HILL | BRISBANE | F W SPENCER MECHANICAL CONTRACTORS |
| BRISBANE | 3090 | FA0023859 | PR0048588 | 10 | INDUSTRIAL | BRISBANE | STATUE FACTORY, LLC |
| BRISBANE | 3090 | FA0036913 | PR0053767 | 250 | INDUSTRIAL | BRISBANE | J & B DELIVERY SERVICE |
| BRISBANE | 3090 | FA0027572 | PR0048617 | 131 | INDUSTRIAL | BRISBANE | DAVEY TREE EXPERT CO |
| BRISBANE | 3090 | FA0025272 | PR0048590 | 511 | Tunnel | Brisbane | P & F DISTRIBUTORS |
| BRISBANE | 3090 | FA0025632 | PR0048596 | 100 | INDUSTRIAL | BRISBANE | ACME SCENERY CO |
| BRISBANE | 3090 | FA0017934 | PR0048582 | 3745 | BAYSHORE | BRISBANE | VWR INTERNATIONAL, INC. |
| BRISBANE | 3090 | FA0056537 | PR0077836 | 290 | INDUSTRIAL | BRISBANE | TRANSDEV |
| BRISBANE | 3090 | FA0050109 | PR0068585 | 99 | HILL | BRISBANE | DHL GLOBAL FORWARDING |
| BRISBANE | 3090 | FA0056570 | PR0077891 | 100 | NORTH HILL | BRISBANE | TREE LOVERS FLOOR INC |
| BRISBANE | 3090 | FA0026104 | PR0048599 | 422 | VALLEY | BRISBANE | UNIPART LOGISTICS |
| BRISBANE | 3090 | FA0051902 | PR0071946 | 178 | HILL | BRISBANE | COOL SOLUTIONS MANUFACTURING INC |

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| Address Location | am/Element | Facility ID | Record ID | Street Number | Street Name | City | Name |
|------------------|------------|-------------|-----------|---------------|--------------|----------|-------------------------------------|
| BRISBANE | 3090 | FA0025577 | PR0048594 | 601 | TUNNEL | BRISBANE | GOLDEN STATE LUMBER |
| BRISBANE | 3090 | FA0024035 | PR0048589 | 100 | HILL | BRISBANE | AXEL ISACKSON FLOOR CO |
| BRISBANE | 3090 | FA0025078 | PR0048672 | 250 | VISITACION | BRISBANE | BRISBANE COMMUNITY CENTER |
| BRISBANE | 3090 | FA0026628 | PR0048603 | 1020 | TUNNEL | BRISBANE | BRISBANE CORPORATION YARD |
| BRISBANE | 3090 | FA0036565 | PR0053569 | 1 | HILL | BRISBANE | Sprint Brisbane Switch |
| BRISBANE | 3090 | FA0026854 | PR0048605 | 123 | HILL | BRISBANE | BIRITE FOODSERVICE |
| BRISBANE | 3090 | FA0033374 | PR0064462 | 1 | SOLANO | BRISBANE | LIPMAN MIDDLE SCHOOL |
| BRISBANE | 3090 | FA0026106 | PR0048600 | 2 | SOLANO | BRISBANE | BRISBANE COMMUNITY POOL |
| BRISBANE | 3090 | FA0013775 | PR0048574 | 320 | VALLEY | BRISBANE | FONG BROS PRINTING INC |
| BRISBANE | 3090 | FA0056951 | PR0078969 | 182 | OLD COUNTY | BRISBANE | LAVA |
| BRISBANE | 3090 | FA0017202 | PR0048578 | 2800 | BAYSHORE | BRISBANE | V & A AUTO REPAIR STATION |
| BRISBANE | 3090 | FA0027938 | PR0048627 | 200 | VALLEY | BRISBANE | A R GROTH CO., INC |
| BRISBANE | 3090 | FA0037609 | PR0054360 | 1 | OLD QUARRY | BRISBANE | EVANS BROTHERS |
| BRISBANE | 3090 | FA0056068 | PR0077277 | 148 | VISITACION | BRISBANE | LUCKY HOUSE RESTAURANT |
| BRISBANE | 3090 | FA0013160 | PR0048662 | 160 | VISITACION | BRISBANE | MELISSAS TAQUERIA |
| BRISBANE | 3090 | FA0022395 | PR0048666 | 500 | SAN BRUNO | BRISBANE | BRISBANE SCHOOL DIST |
| BRISBANE | 3090 | FA0052986 | PR0073360 | 35 | VISITACION | BRISBANE | MAMA MIA PIZZA |
| BRISBANE | 3090 | FA0023679 | PR0048669 | 150 | HILL | BRISBANE | LE GOURMET |
| BRISBANE | 3090 | FA0027999 | PR0048630 | 900 | Radio | BRISBANE | KNTV TELEVISION INC |
| BRISBANE | 3090 | FA0051993 | PR0072755 | 301 | VISITACION | BRISBANE | NANA KITCHEN |
| BRISBANE | 3090 | FA0000367 | PR0064458 | 2800 | BAYSHORE | BRISBANE | SEVEN MILE HOUSE SPORTS BAR & GRILL |
| BRISBANE | 3090 | FA0046952 | PR0064459 | 211 | HILL | BRISBANE | PREFERRED MEAL SYSTEMS, INC |
| BRISBANE | 3090 | FA0037633 | PR0054406 | 151 | PARK | BRISBANE | DOCUMENT SECURITY SYSTEMS |
| BRISBANE | 3090 | FA0010464 | PR0048569 | 171 | INDUSTRIAL | BRISBANE | ALLIED ROPES COMPANY |
| BRISBANE | 3090 | FA0000382 | PR0048650 | 249 | VISITACION | BRISBANE | MIDTOWN MARKET |
| BRISBANE | 3090 | FA0000265 | PR0048561 | 400 | SIERRA POINT | BRISBANE | BRISBANE MARINA |
| BRISBANE | 3090 | FA0051845 | PR0071872 | 130 | INDUSTRIAL | BRISBANE | MECHANO GARAGE |
| BRISBANE | 3090 | FA0047913 | PR0065467 | 100 | HILL | BRISBANE | GENERAL BIOSCIENCE |

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| Address Location | Facility ID | Record ID | Street Number | Street Name | City | Name | |
|------------------|-------------|-----------|---------------|-------------|--------------------|----------|--|
| BRISBANE | 3090 | FA0034825 | PR0052878 | 3260 | BAYSHORE | BRISBANE | CAREDX INC |
| BRISBANE | 3090 | FA0010540 | PR0048571 | 3401 | BAYSHORE | BRISBANE | MACHINERY & EQUIPMENT CO |
| BRISBANE | 3090 | FA0023115 | PR0048668 | 114 | OLD COUNTY | BRISBANE | TERIYAKI HOUSE |
| BRISBANE | 3090 | FA0028310 | PR0048640 | 3240 | BAYSHORE | BRISBANE | CUTERA |
| BRISBANE | 3090 | FA0051965 | PR0072032 | 115 | PARK | BRISBANE | ZARC RECYCLING |
| BRISBANE | 3090 | FA0015867 | PR0048577 | 175 | HILL | BRISBANE | DOLBY LABORATORIES |
| BRISBANE | 3090 | FA0051846 | PR0071875 | 200 | VALLEY | BRISBANE | SMART PRINTING |
| BRISBANE | 3091 | FA0013896 | PR0048575 | 5 | BEATTY | BRISBANE | BRISBANE RECYCLING CO INC |
| BRISBANE | 3090 | FA0028002 | PR0048633 | 500 | Radio | BRISBANE | AMERICAN TOWERS - SAN BRUNO T6, CA - SITE #8247 |
| BRISBANE | 3090 | FA0028003 | PR0048634 | 375 | RADIO | BRISBANE | AMERICAN TOWERS - SAN BRUNO T4, T5, CA - SITE #8245, #8246 |
| BRISBANE | 3090 | FA0028004 | PR0048635 | 300 | RADIO | BRISBANE | AMERICAN TOWERS - SAN BRUNO T1, T2, CA - SITE #8242, 8243 |
| BRISBANE | 3090 | FA0028005 | PR0048636 | 350 | RADIO | BRISBANE | AMERICAN TOWERS - SAN BRUNO T3, CA - SITE #8244 |
| BRISBANE | 3090 | FA0028000 | PR0048631 | 600-700 | Radio | BRISBANE | AMERICAN TOWERS - SAN BRUNO T8, T9, CA - SITE #8249, #8250 |
| BRISBANE | 3090 | FA0058055 | PR0080531 | 8000 | MARINA | BRISBANE | INTERNATIONAL FOOD VENTURES LLC |
| BRISBANE | 3090 | FA0058056 | PR0080533 | 2000 | SIERRA POINT | BRISBANE | INTERNATIONAL FOOD VENTURES LLC |
| BRISBANE | 3090 | FA0034807 | PR0052816 | 499 | VALLEY | BRISBANE | FRITO LAY INC |
| BRISBANE | 3090 | FA0017929 | PR0048581 | | | BRISBANE | FRITO LAY INC |
| BRISBANE | 3090 | FA0054277 | PR0074901 | 130 | INDUSTRIAL | BRISBANE | N O D AUTO SERVICE |
| BRISBANE | 3090 | FA0054268 | PR0074882 | 340 | INDUSTRIAL | BRISBANE | PIT STOP AUTOMOTIVE |
| BRISBANE | 3090 | FA0017924 | PR0048579 | | TUNNEL & BEATTY RD | BRISBANE | RECOLOGY SUNSET SCAVENGER |
| BRISBANE | 3090 | FA0053953 | PR0074535 | 3708 | BAYSHORE | BRISBANE | MK PIPELINES INC |
| BRISBANE | 3090 | FA0058594 | PR0081190 | 3260 | BAYSHORE | BRISBANE | HARPOON THERAPEUTICS |
| BRISBANE | 3090 | FA0058057 | PR0080535 | 140 | OLD COUNTY | BRISBANE | SAIGON BBQ |
| BRISBANE | 3090 | FA0047478 | PR0064788 | 8000 | MARINA | BRISBANE | 8000 MARINA BLVD |
| BRISBANE | 3090 | FA0001118 | PR0048563 | 2000 | SIERRA POINT | BRISBANE | 2000 SIERRA POINT PARKWAY LLC |
| BRISBANE | 3090 | FA0053014 | PR0073403 | 3890 | BAYSHORE | BRISBANE | J STYLE AT HOME |
| BRISBANE | 3090 | FA0054498 | PR0075153 | 75 | GLEN | BRISBANE | LAKE ST BOOSTER PUMP STATION |
| BRISBANE | 3090 | FA0054499 | PR0075155 | 80 | NORTH HILL | BRISBANE | NORTH HILL BOOSTER PUMP STATION |

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| Address Location | am/Element | Facility ID | Record ID | Street Number | Street Name | City | Name |
|------------------|------------|-------------|-----------|---------------|--------------|--------------|--|
| BRISBANE | 3090 | FA0054500 | PR0075158 | 940 | HUMBOLDT | BRISBANE | GLEN PARK BOOSTER PUMP STATION |
| BRISBANE | 3090 | FA0054501 | PR0075161 | 50 | GOLDEN ASTER | BRISBANE | GOLDEN ASTER BOOSTER PUMP STATION |
| BRISBANE | 3090 | FA0028824 | PR0048459 | 400 | VALLEY | BRISBANE | BEBE STORES, INC |
| BRISBANE | 3090 | FA0059031 | PR0081744 | 109 | VISITACION | BRISBANE | THE BURROW |
| BRISBANE | 3090 | FA0045551 | PR0059826 | 88 | HILL | BRISBANE | KJ WOODS CONSTRUCTION |
| BRISBANE | 3090 | FA0025630 | PR0048595 | 501 | TUNNEL | BRISBANE | Recology San Francisco |
| BRISBANE | 3090 | FA0059909 | PR0082326 | 435 | VALLEY | BRISBANE | WILLIAMS SONOMA |
| BRISBANE | 3090 | FA0000676 | PR0048653 | 45 | VISITACION | BRISBANE | JULIES BRISBANE LIQUOR & DELI |
| BRISBANE | 3091 | FA0017938 | PR0048584 | 950 | TUNNEL | BRISBANE | SFPP, LP |
| BRISBANE | 3090 | FA0059282 | PR0082507 | 355 | VALLEY | BRISBANE | AT&T California -CAM131 |
| BRISBANE | 3090 | FA0048440 | PR0066199 | 50 | PARK | BRISBANE | BRISBANE POLICE DEPARTMENT |
| BRISBANE | 3090 | FA0055029 | PR0075989 | 138 | OLD COUNTY | BRISBANE | CHRISTYS DONUT |
| BRISBANE | 3090 | FA0052211 | PR0072497 | 142 | OLD COUNTY | BRISBANE | DAISY TAQUERIA |
| BRISBANE | 3091 | FA0060276 | PR0082785 | 246 | VALLEY | BRISBANE | NESTLE WATERS NORTH AMERICA |
| BRISBANE | 3090 | FA0050519 | PR0069977 | 304 | INDUSTRIAL | BRISBANE | W2 SYSTEMS |
| BRISBANE | 3090 | FA0017943 | PR0048585 | 374 | INDUSTRIAL | BRISBANE | L & D TRUCK REPAIR |
| BRISBANE | 3090 | FA0010408 | PR0048661 | 185 | VISITACION | BRISBANE | FRATERNAL ORDER OF EAGLES |
| BRISBANE | 3090 | FA0014386 | PR0048663 | 33 | VISITACION | BRISBANE | STAR BOX FOOD |
| BRISBANE | 3090 | FA0060438 | PR0082930 | 110 | OLD COUNTY | BRISBANE | L AND D BISTRO CATERING |
| BRISBANE | 3090 | FA0060121 | PR0082590 | 325 | VALLEY | BRISBANE | TRIMARK |
| BRISBANE | 3090 | FA0057647 | PR0079979 | 101 | VISITACION | BRISBANE | BRISBANE CHIROPRACTIC |
| BRISBANE | 3090 | FA0056612 | PR0077947 | 100 | CYPRESS | BRISBANE | BAY AREA LINENS AND VALET SERVICES INC |
| BRISBANE | 3090 | FA0023480 | PR0040967 | 160 | CHESTNUT | REDWOOD CITY | CHESTNUT AUTOMOTIVE BRAKE/ALIGNMENT |

C.4 City Completed Business Inspection Tracking Spreadsheet

| Enter "1" per inspection | Enter "1" per Business | Business Name | Inspection Date | Inspection Type | | | | Violation*** | | | *complete only for initial inspection | | | | **complete only for actual or potential discharge | | | | Comments | IGP* | | |
|--------------------------|------------------------|-------------------------------|-----------------|-----------------|---------|--------------------|-----------|----------------------|-------------------------|----------------------|---------------------------------------|-----------------------|---------------------|----------------------------|---|-------------------------------------|------------------|--------------|----------|------|----------------|--|
| | | | | First | Routine | Complaint Response | Follow-Up | Actual NSW Discharge | Potential NSW Discharge | None - In Compliance | Re-Inspection Priority* | | | | Enforcement Response | | | | | | | |
| | | | | | | | | | | | High - Annually | Medium - 2 to 5 years | Low - every 5 years | No potential re-inspection | Verbal Warning | Written Warning Notice of Violation | Notice to Comply | Legal Action | | | Within 10 days | Longer but timely |
| 1 | 1 | ADT Security System | 05/05/16 | 1 | | | | | | 1 | | | | | | | | | | | | |
| 1 | 1 | Airport Animal Transport | 05/10/16 | 1 | | | | | | 1 | | | | | | | | | | | | |
| 1 | | Airport Animal Transport | 05/23/16 | | | | 1 | | | 1 | | | | | | | | | | | | trash cans overflowing |
| | 1 | All Good Trenching | 06/07/16 | | | | | | | | | | | | | | | | | | | trash cans replaced by new dumpsters |
| | | | | | | | | | | | | | | | | | | | | | | Business has moved |
| 1 | 1 | Allergen Research Corp | 06/02/16 | 1 | | | | | | 1 | 1 | | | | | | | | | | | dumpster area needs to be cleaned up |
| 1 | | Allergen Research Corp | 06/16/16 | | | | 1 | | | 1 | | | | | | | | | | | | dumpster area has been cleaned |
| 1 | 1 | Altamar Rec & Spa | 06/28/16 | 1 | | | | | | 1 | | | | | | | | | | | | rec building with spa |
| 1 | 1 | Ambition | 05/31/16 | 1 | | | | | | 1 | | | | | | | | | | | | only using as indoor storage space |
| | 1 | Antonella Soldaini Enterprise | 06/07/16 | | | | | | | | | | | | | | | | | | | Business has closed; informed by owner |
| 1 | 1 | Aquatic Dreams | 06/30/16 | 1 | | | | | | 1 | | | | | | | | | | | | |
| 1 | 1 | Atlas Appliance Repair | 06/06/16 | 1 | | | | | | 1 | | | | | | | | | | | | No potential for discharge |
| 1 | 1 | ATP | 05/18/16 | 1 | | | | | | 1 | | | | | | | | | | | | |
| | 1 | Bay Area Linen and Valet Svc | 06/01/16 | | | | | | | | | | | | | | | | | | | Business inspected by SMCEH |

C.4 City Completed Business Inspection Tracking Spreadsheet

| | | | | | | | | | | | | | | | | | | | | | |
|---|---|------------------------------|----------|---|--|--|---|--|---|--|---|--|---|---|--|--|--|--|---|---------------------------------|--|
| | 1 | Bay Cities Developers | 05/25/16 | | | | | | | | | | | | | | | | | No Physical Address in Brisbane | |
| 1 | 1 | Beauty Fix | 05/05/16 | 1 | | | | | 1 | | | | 1 | | | | | | | | |
| 1 | 1 | Bebe | 05/10/16 | 1 | | | | | 1 | | 1 | | | 1 | | | | | 1 | | trash dumpster has broken lid. |
| 1 | | Bebe | 05/20/16 | | | | 1 | | 1 | | | | | | | | | | | | Dumpster has been replaced |
| 1 | 1 | BK Nutrients Inc. | 06/28/16 | 1 | | | | | 1 | | | | 1 | | | | | | | | outside trash can |
| 1 | 1 | Blanchards Sheet Metal | 05/31/16 | 1 | | | | | 1 | | | | 1 | | | | | | | | no outdoor trash or storage |
| 1 | 1 | Bright Event Rentals | 05/27/16 | 1 | | | | | 1 | | 1 | | | 1 | | | | | | 1 | Outside storage of materials. No danger of discharge. Uncovered dumpster |
| 1 | | Bright Event Rentals | 06/10/16 | | | | 1 | | 1 | | | | | | | | | | | | uncovered dumpster has been replaced. |
| | 1 | Brisbane Bayshore Properties | 06/07/16 | | | | | | | | | | | | | | | | | | No office in Brisbane |
| 1 | 1 | Brittany's Auto Sales | 05/20/16 | 1 | | | | | 1 | | | | 1 | | | | | | | | |
| 1 | 1 | C2 | 06/11/16 | 1 | | | | | 1 | | | | 1 | | | | | | | | Boat used as work shop. |
| 1 | 1 | Cane and Reed Trading Co | 05/09/16 | 1 | | | | | 1 | | | | 1 | | | | | | | | |
| | 1 | Comcast of California | 06/07/16 | | | | | | | | | | | | | | | | | | Business has moved |
| | 1 | Cosmo-Graph LLC | 06/28/16 | | | | | | | | | | | | | | | | | | No longer in Brisbane |
| 1 | 1 | Couture Costume & Corsetry | 05/27/16 | 1 | | | | | 1 | | | | 1 | | | | | | | | No potential Discharge |
| | 1 | Curb Appeal | 06/29/16 | | | | | | | | | | | | | | | | | | Business no longer operates in San Mateo County - per owner |
| 1 | 1 | Cureseq Inc. | 05/05/16 | 1 | | | | | 1 | | 1 | | | 1 | | | | | | 1 | 3 dumpsters in fenced area have open lids |

C.4 City Completed Business Inspection Tracking Spreadsheet

| | | | | | | | | | | | | | | | | | | | | | |
|---|---|---------------------------|----------|---|--|--|---|--|---|---|--|--|--|---|--|--|--|--|---|--|---|
| 1 | | Cureseq Inc. | 05/13/16 | | | | 1 | | 1 | | | | | | | | | | | | dumpster lids have been closed/replaced |
| | 1 | D&C Lee Management | 05/27/16 | | | | | | | | | | | | | | | | | | No office in Brisbane |
| 1 | 1 | Dance Biopharm Inc. | 05/05/16 | 1 | | | | | 1 | 1 | | | | 1 | | | | | 1 | | 3 dumpsters with open lids in fenced in area. |
| 1 | | Dance Biopharm Inc. | 05/13/16 | | | | 1 | | 1 | | | | | | | | | | | | Dumpster lids have been closed. |
| 1 | 1 | EBay | 06/02/16 | 1 | | | | | 1 | 1 | | | | | | | | | | | dumpster area needs to be cleaned up |
| 1 | | EBay | 06/16/16 | | | | 1 | | 1 | | | | | | | | | | | | dumpster area has been cleared |
| 1 | 1 | Falcon Associates | 05/23/16 | 1 | | | | | 1 | | | | | 1 | | | | | | | |
| 1 | 1 | Fast Eddie's Machine Shop | 05/20/16 | 1 | | | | | 1 | | | | | 1 | | | | | | | |
| 1 | 1 | Felix Lighting | 05/17/16 | 1 | | | | | 1 | 1 | | | | | | | | | | | outdoor covered garbage can, vehicle parking, conex box in parking area |
| 1 | 1 | Fence Pro | 03/01/16 | 1 | | | | | 1 | 1 | | | | | | | | | 1 | | misc. sized "paint" containers stored outdoors and uncovered. Owner is in progress of transferring to approved disposal site. Found trash can without lid outdoors. |

C.4 City Completed Business Inspection Tracking Spreadsheet

| | | | | | | | | | | | | | | | | | | | | | | |
|---|---|-------------------------------------|----------|---|--|--|---|--|---|---|---|--|--|---|---|--|--|--|--|---|--|--|
| 1 | | Industrial Pipe and Plant Solutions | 03/11/16 | | | | 1 | | | 1 | | | | | | | | | | | All hazardous material has been moved to a conex box. All exposed equipment has been removed or covered. Open top dumpster has been removed. 500 Gal diesel tank has been removed. | |
| 1 | 1 | Integrated Resources Group Inc. | 05/10/16 | 1 | | | | | 1 | 1 | | | | | 1 | | | | | 1 | Large amount of trash near loading doc and open top 14 yard dumpster | |
| 1 | | Integrated Resources Group Inc. | 05/20/16 | | | | 1 | | 1 | | | | | | | | | | | | trash has been cleaned up | |
| 1 | 1 | Isthmus Industries | 05/17/16 | 1 | | | | | 1 | | | | | 1 | | | | | | | no outside trash or storage | |
| | 1 | J Style at Home | 06/01/16 | | | | | | | | | | | | | | | | | | Business inspected by SMCEH | |
| 1 | 1 | Jackie Movers | 05/23/16 | 1 | | | | | 1 | | | | | 1 | | | | | | | | |
| | 1 | Jaguar Land Rover North America LLC | 06/01/16 | | | | | | | | | | | | | | | | | | Business inspected by SMCEH | |
| 1 | 1 | Jericho Project | 05/10/16 | 1 | | | | | 1 | | 1 | | | | 1 | | | | | 1 | Outdoor storage of 55 gal drum. Two drums partially full with unknown contents. Drums were moved inside during inspection. | |
| 1 | | Jericho Project | 05/20/16 | | | | 1 | | 1 | | | | | | | | | | | | storage drums have been removed | |
| 1 | 1 | Jonie Uniforms | 05/10/16 | 1 | | | | | 1 | | | | | 1 | | | | | | | | |

C.4 City Completed Business Inspection Tracking Spreadsheet

| | | | | | | | | | | | | | | | | | | | | | |
|---|---|-------------------------------|----------|---|--|--|--|--|--|---|---|---|---|--|--|--|--|--|--|---|---|
| 1 | 1 | Jose's Mobile Service | 06/06/16 | 1 | | | | | | 1 | | | | | | | | | | | mobile business, no street address in town |
| 1 | 1 | KA Interiors | 05/23/16 | 1 | | | | | | 1 | | | 1 | | | | | | | | outside trash and vehicle parking |
| 1 | 1 | Katherine Loh Graphic Design | 05/23/16 | 1 | | | | | | 1 | | | 1 | | | | | | | | |
| 1 | 1 | Kitech Security Systems Inc. | 05/23/16 | 1 | | | | | | 1 | | | 1 | | | | | | | | outside trash and vehicle parking |
| 1 | 1 | KMC Seal Co LTD | 05/09/16 | 1 | | | | | | 1 | | | 1 | | | | | | | | |
| 1 | 1 | Knechtus, LLC | 06/07/16 | 1 | | | | | | 1 | | | 1 | | | | | | | | Home Office |
| 1 | 1 | KTSF | 05/11/16 | 1 | | | | | | 1 | | 1 | | | | | | | | 1 | recycling can is overflowing and has broken lid. |
| 1 | | KTSF | 05/23/16 | | | | | | | 1 | | | 1 | | | | | | | | Recycle bin has been replaced |
| 1 | 1 | KWW Kitchen Cabinets and Bath | 06/29/16 | 1 | | | | | | 1 | 1 | | | | | | | | | | business currently unoccupied. In process of setting up new showroom. Will inspect next fiscal year |
| 1 | 1 | Landmark Coffee | 05/05/16 | 1 | | | | | | 1 | | | 1 | | | | | | | | |
| 1 | 1 | Laurinengine | 05/23/16 | 1 | | | | | | 1 | | | 1 | | | | | | | | business no longer at this address |
| 1 | 1 | Lee's Appliance Inc. | 05/09/16 | 1 | | | | | | 1 | | | 1 | | | | | | | | |
| 1 | 1 | Lincoln Broadcasting Co. | 05/11/16 | 1 | | | | | | 1 | | 1 | | | | | | | | 1 | recycling can is overflowing and has broken lid. |
| 1 | | Lincoln Broadcasting Co. | 05/23/16 | | | | | | | 1 | | | 1 | | | | | | | | Recycling bin has been replaced |
| 1 | 1 | Loral Landscaping | 05/10/16 | 1 | | | | | | 1 | | 1 | | | | | | | | | |
| 1 | 1 | Mak Motors | 05/25/16 | 1 | | | | | | 1 | | | 1 | | | | | | | | parking on-site |
| 1 | 1 | Mandeville Garden Co. | 05/31/16 | 1 | | | | | | 1 | | | 1 | | | | | | | | Outdoor parking |

C.4 City Completed Business Inspection Tracking Spreadsheet

| | | | | | | | | | | | | | | | | | | | | |
|---|---|-----------------------------------|----------|---|--|--|--|--|---|---|---|---|--|---|--|--|--|--|---|--|
| 1 | 1 | Mark Harrington Glassware | 06/28/16 | 1 | | | | | 1 | | | 1 | | | | | | | | Glassware - trash is taken home. |
| 1 | 1 | Martial Arts Development | 06/29/16 | 1 | | | | | 1 | | | 1 | | | | | | | | no outside trash |
| 1 | 1 | Mary Bee Creations | 05/05/16 | 1 | | | | | 1 | | | 1 | | | | | | | | |
| 1 | 1 | Med Life Services | 05/05/16 | 1 | | | | | 1 | | | 1 | | | | | | | | |
| | 1 | Mega Bytes | 06/06/16 | | | | | | | | | | | | | | | | | Business has moved |
| 1 | 1 | Metro Air Service | 05/25/16 | 1 | | | | | 1 | 1 | | | | 1 | | | | | 1 | Trash around front door and rear loading dock |
| 1 | | Metro Air Service | 06/06/16 | | | | | | 1 | | | | | | | | | | | all trash has been picked up |
| | 1 | Miracle Hand Bags and Accessories | 06/07/16 | | | | | | | | | | | | | | | | | Business has moved |
| | 1 | MK Pipelines | 06/01/16 | | | | | | | | | | | | | | | | | Business inspected by SMCEH |
| 1 | 1 | Mode Media Corp | 06/02/16 | 1 | | | | | 1 | | | 1 | | | | | | | | Outside dumpsters, parking lot |
| | 1 | Mohamed Ahmed | 06/07/16 | | | | | | | | | | | | | | | | | No office at address |
| 1 | 1 | MT Electric | 06/29/16 | 1 | | | | | 1 | | | 1 | | | | | | | | home office |
| 1 | 1 | Nava Insurance | 05/05/16 | 1 | | | | | 1 | | 1 | | | 1 | | | | | 1 | Dumpsters have open lids |
| 1 | | Nava Insurance | 05/13/16 | | | | | | 1 | | | 1 | | | | | | | | Dumpster lids have been closed |
| 1 | 1 | NBC Stationary | 05/23/16 | 1 | | | | | 1 | | | 1 | | | | | | | | |
| 1 | 1 | Novitex Enterprise Solutions | 05/25/16 | 1 | | | | | 1 | 1 | | | | 1 | | | | | 1 | uncovered dumpster |
| 1 | | Novitex Enterprise Solutions | 06/06/16 | | | | | | 1 | | | 1 | | | | | | | | dumpster has been replaced |
| 1 | 1 | Nutrargroup Inc. | 05/13/16 | 1 | | | | | 1 | | 1 | | | 1 | | | | | 1 | Loose trash around property and using 5 gallon buckets as trash cans. |
| 1 | | Nutrargroup Inc. | 05/23/16 | | | | | | 1 | | | 1 | | | | | | | | Trash has been cleaned up and buckets replaced with covered trash cans |

C.4 City Completed Business Inspection Tracking Spreadsheet

| | | | | | | | | | | | | | | | | | | | | |
|---|---|---------------------------------|----------|---|--|--|--|--|---|---|--|---|---|--|--|--|--|--|---|--|
| 1 | 1 | Silverado Hospice Bay Area | 06/02/16 | 1 | | | | | 1 | 1 | | | | | | | | | 1 | Dumpster lids are missing but dumpster is in an enclosed area. |
| 1 | | Silverado Hospice Bay Area | 06/16/16 | | | | | | 1 | | | | | | | | | | | Dumpster has been replaced |
| 1 | 1 | Skarpoz Tooling Systems Inc. | 05/23/16 | 1 | | | | | 1 | | | 1 | | | | | | | | |
| | 1 | Smart Janitorial Services | 06/07/16 | | | | | | | | | | | | | | | | | Business has moved |
| 1 | 1 | Stables | 05/13/16 | 1 | | | | | 1 | 1 | | | | | | | | | | Trash cans outside but covered, parking on-site |
| 1 | 1 | Stephen Murphy Construction | 06/10/16 | 1 | | | | | 1 | | | 1 | | | | | | | | Garbage cans, work truck on street |
| 1 | 1 | Storage | 06/28/16 | 1 | | | | | 1 | | | | 1 | | | | | | | storage only |
| 1 | 1 | Tocchini and Tocchini | 06/28/16 | 1 | | | | | 1 | | | | 1 | | | | | | | No outside trash |
| 1 | 1 | Tree Lovers Floors | 05/10/16 | 1 | | | | | 1 | | | 1 | | | | | | | | |
| | 1 | Trimark Inc. | 06/01/16 | | | | | | | | | | | | | | | | | Business inspected by SMCEH |
| 1 | 1 | TRZ Plumbing | 06/30/16 | 1 | | | | | 1 | 1 | | | | | | | | | | outside trash cans, outside parking, minor pipes stored outside. |
| 1 | 1 | US Surveillance Systems | 05/05/16 | 1 | | | | | 1 | | | | 1 | | | | | | | |
| | 1 | Valley Drive Management Co, LLC | 06/01/16 | | | | | | | | | | | | | | | | | Referred to SMCEH |
| 1 | 1 | Vector Marketing | 05/05/16 | 1 | | | | | 1 | 1 | | | 1 | | | | | | | 3 dumpsters with open lids in fenced in area. |
| 1 | | Vector Marketing | 05/13/16 | | | | | | 1 | | | | | | | | | | | Dumpster lids have been closed. |
| 1 | 1 | Vision Plus | 05/23/16 | 1 | | | | | 1 | 1 | | | 1 | | | | | | | Recycle can lid missing and overflowing |
| 1 | | Vision Plus | 06/02/16 | | | | | | 1 | | | | | | | | | | | Recycle bin has been replaced |

C.4 City Completed Business Inspection Tracking Spreadsheet

| | | | | | | | | | | | | | | | | | | | | | | |
|-----|-----|------------------------|----------|-----|---|---|----|---|---|-----|----|----|----|----|----|---|---|---|---|----|---|--|
| 1 | 1 | VOX Networks | 06/02/16 | 1 | | | | | 1 | 1 | | | | | | | | | | | dumpster area needs to be cleaned up | |
| 1 | | VOX Networks | 06/16/16 | | | | 1 | | 1 | | | | | | | | | | | | dumpster area has been cleaned | |
| | 1 | W2 Systems | 06/01/16 | | | | | | | | | | | | | | | | | | Business inspected by SMCEH | |
| | 1 | Walmart.com | 06/06/16 | | | | | | | | | | | | | | | | | | Business has moved | |
| 1 | 1 | Wayne Hendryx | 05/05/16 | 1 | | | | | 1 | | | 1 | | | | | | | | | | |
| 1 | 1 | Winelandia LLC | 06/07/16 | 1 | | | | | 1 | | | | 1 | | | | | | | | Home Office | |
| 1 | 1 | Wisemettac Asian Foods | 05/31/16 | 1 | | | | | 1 | | 1 | | | | | | | | | | | |
| 1 | 1 | With Fencing | 05/25/16 | 1 | | | | | 1 | | | 1 | | | | | | | | | outside parking | |
| 1 | 1 | WSI | 05/17/16 | 1 | | | | | 1 | 1 | | | | 1 | | | | | 1 | | Open Dumpster overflowing. Trash around fence. | |
| 1 | | WSI | 05/31/16 | | | | 1 | | 1 | | | | | | | | | | | | Dumpster has been replaced and trash has been cleaned up. | |
| 130 | 137 | | | 104 | 0 | 0 | 26 | 0 | 5 | 125 | 14 | 22 | 30 | 38 | 18 | 5 | 0 | 0 | | 21 | 2 | |

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*** NOTE: A violation is only counted once - if not completed by re-inspection, add an appropriate comment.

***NOTE: 33 businesses were either referred to SMCEH, no longer in business or not physically located in Brisbane.

*** NOTE: 104 represents the number of businesses that were to Brisbane's Re-Inspection Priority List.

NOTE: Due to Personnel Changes, a few inspections were completed after the FY15-16 ended. These inspections are noted below since they did not occur within the FY

| | | | | Inspection Type | Violation*** | Re-Inspection Priority* | Enforcement Response | Violations Corrected** | Comments | IGP* |
|--|--|--|--|-----------------|--------------|-------------------------|----------------------|------------------------|----------|------|
|--|--|--|--|-----------------|--------------|-------------------------|----------------------|------------------------|----------|------|

C.4 City Completed Business Inspection Tracking Spreadsheet

| Enter "1" per Inspection | Enter "1" per Business | Business Name | Inspection Date | First | Routine | Complaint Response | Follow-Up | Actual NSW Discharge | Potential NSW Discharge | None - In Compliance | High - Annually | Medium - 2 to 5 years | Low - every 5 years | no potential re-inspection | Verbal Warning | Written Warning Notice of Violation | Notice to Comply | Legal Action | Within 10 days | Longer but timely | Include rationale for longer but timely compliance in addition to general notes. | Enter "1" if site requires but does not have Industrial General Permit coverage | |
|--------------------------|------------------------|---------------------------|-----------------|-------|---------|--------------------|-----------|----------------------|-------------------------|----------------------|-----------------|-----------------------|---------------------|----------------------------|----------------|-------------------------------------|------------------|--------------|----------------|-------------------|--|---|--|
| 1 | 1 | Trade Show Media Partners | 07/05/16 | 1 | | | | | | 1 | | | | 1 | | | | | | | | | |
| 1 | 1 | JK Control Inc. | 07/05/16 | 1 | | | | | | 1 | | | | 1 | | | | | | | | | |
| 1 | 1 | PG&E Legal Hold Warehouse | 07/06/16 | 1 | | | | | | 1 | | | | 1 | | | | | | | storage only, no employees at site, no trash cans. | | |
| | | | | | | | | | | | | | | | | | | | | | | | |
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NPDES Permit # CAS612008
 FY 15-16 MRP Annual Report
 Summary Worksheet

| Paper Inspections | | Electronic Inspections | | Inspection Totals | |
|---|---|---|----|---|----|
| Facility Inspections | | Facility Inspections | | Facility Inspections | |
| Number of businesses inspected | 2 | Number of businesses inspected | 37 | Number of businesses inspected | 39 |
| Total number of inspections | 2 | Total number of inspections | 38 | Total number of inspections | 40 |
| Number of violations (excluding verbal warning) | 0 | Number of violations (excluding verbal warning) | 0 | Number of violations (excluding verbal warning) | 0 |
| Sites inspected in violation | 0 | Sites inspected in violation | 1 | Sites inspected in violation | 1 |
| Violations resolved within 10 working days | 0 | Violations resolved within 10 working days | 0 | Violations resolved within 10 working days | 0 |
| Category of Violation Observed (excludes verbal warning) | | Category of Violation Observed (excludes verbal warning) | | Category of Violation Observed (excludes verbal warning) | |
| Actual discharge | 0 | Actual discharge | 0 | Actual discharge | 0 |
| Potential discharge | 0 | Potential discharge | 1 | Potential discharge | 1 |
| Enforcement Actions | | Enforcement Actions | | Enforcement Actions | |
| Verbal Warnings | 0 | Verbal Warnings | 4 | Verbal Warnings | 4 |
| Warning Notices | 0 | Warning Notices | 0 | Warning Notices | 0 |
| Admin Notices | 0 | Admin Notices | 0 | Admin Notices | 0 |
| Legal Notices | 0 | Legal Notices | 0 | Legal Notices | 0 |

ATTACHMENT 5-2 "C.5.c.iii(2) Go Request"

Public Works Service Request

Request type: Problem

Select a Topic: (Please select)

- Buildings & Parks Maintenance
- Graffiti on Public Property
- Marina
- Potholes
- Sidewalk Maint./Tripping Hazards
- Storm Drains-blocked, illegal discharges
- Street Trees
- Streets-Signals/Lights/Traffic Signals
- Water or Sewer Leaks & Complaints
- WATER WASTE
- Woods, Trash & Debris on Public Property

First Name: _____

Phone number: _____

Email address: _____

Address: _____

City: Brisbane State: CA Zip code: _____

Send

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ATTACHMENT 6-1 "C.6.e.iii(1) CRITERIA FOR DETERMINATION OF HILLSIDE PROJECTS"



MEMORANDUM

DATE: June 30, 2016

TO: Planning Dept. - Stormwater MRP Compliance File

FROM: Ken Johnson, Senior Planner *hjs*

Cc: Randy Breault, Public Works Director
John Swiecki, Community Development Director

SUBJECT: Criteria for Determination of Hillside Projects – per Municipal Regional Stormwater Permit (MRP) No. R2-2015-0049, Section C.6.e.ii(2)(b)

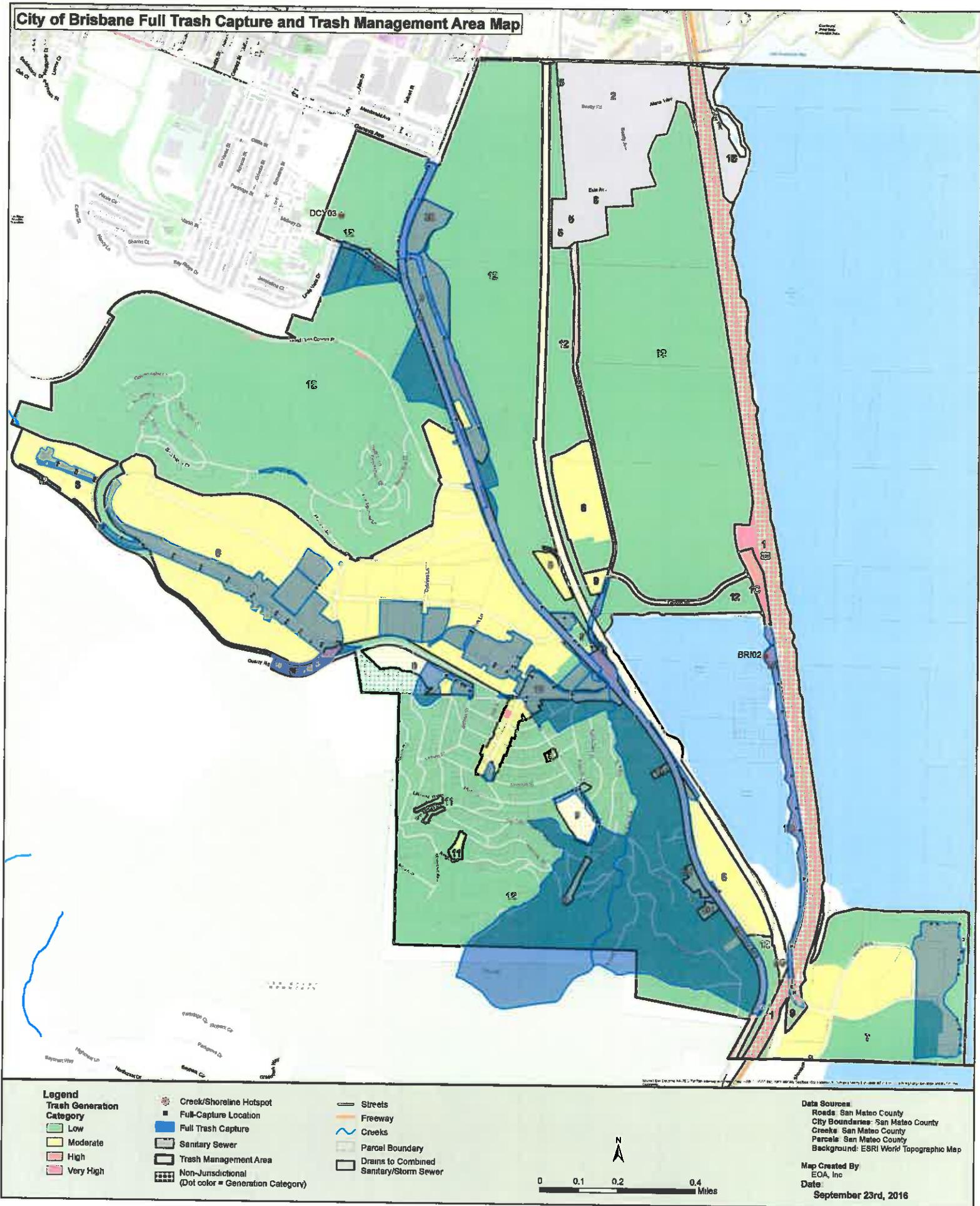
This memorandum provides a follow up to our meeting earlier today and documentation of the criteria which will be used by the City of Brisbane for determination of hillside lots, starting July 1, 2016, consistent with the above referenced section of the 2015 MRP. That section of the MRP allows for the permittee to use its own criteria for definition of hillside projects, otherwise the state's default of 15 percent or more slope would be used.

Since the hillside areas of Brisbane are primarily comprised of the residential areas and the zoning ordinance currently has a threshold of 20 percent or more slope in allowing for the maximum height of structures to be 30 feet instead of 28 feet, for the Central Brisbane residential zoning districts, this is a logical threshold to also use in the City's definition of hillside sites for the purposes of compliance with this section of the MRP.

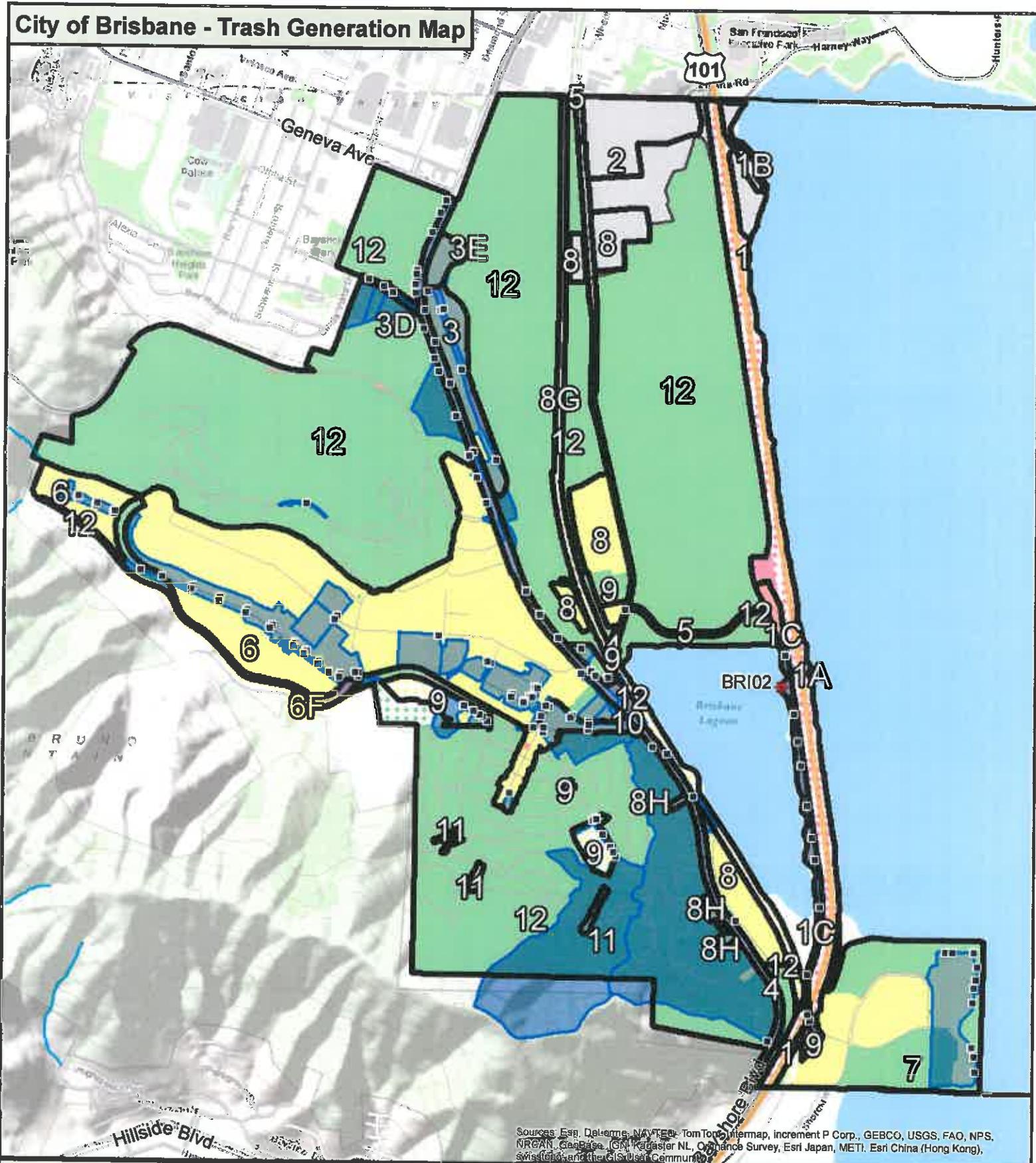
Therefore, for compliance with MRP Section C.6.e.ii(2)(b), requiring monthly wet season inspections, tracking and reporting, the City will include all sites with a slope of 20 percent or more and disturbing 5,000 square feet or more of the site area. Slope is as defined in Brisbane Municipal Code Section 17.02.730, "Slope' means the ratio, calculated as a percentage, of the vertical distance between the midpoints of the front and rear lot lines to the horizontal distance between the midpoints of the front and rear lot lines. For a lot having no rear lot line, the intersection of the side lot lines shall be substituted for the midpoint of the rear lot line in calculating slope."

The slope information will be gathered by the Public Works Dept. through the grading permit applications and notification, tracking and reporting to the Water Board will also be completed by the Public Works Dept., consistent with MRP Section C.6.e.

ATTACHMENT 10-2 "FULL TRASH CAPTURE AND TRASH MANGEMENT AREA MAP"



ATTACHMENT 10-2 "TRASH GENERATION MAP"



Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, and the GIS User Community

Legend

Trash Generation Category

- Low
- Moderate
- High
- Very High

- * Creek/Shoreline Hotspot
- Full-Capture Location
- Full Trash Capture
- Trash Management Area
- Non-Jurisdictional (Dot color = Generation Category)

- Streets
- Freeway
- Creeks

0 0.15 0.3 0.6 Miles

