



City of Sacramento City Council

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915 I Street, Sacramento, CA, 95814
www.CityofSacramento.org

Meeting Date: 8/21/2012

Report Type: Consent

Title: Agreement: Memorandum of Understanding for City Funding of the Business Environmental Resource Center (BERC)

Report ID: 2012-00668

Location: Citywide

Recommendation: Pass a Motion authorizing the City Manager or the City Manager's designee to sign a Memorandum of Understanding to reimburse BERC for programs and activities which assisted in the implementation of the City's stormwater NPDES Permit for fiscal years 2008/09, 2009/10 and 2010/11, totaling \$200,850

Contact: Bill Busath, Interim Engineering Manager, (916) 808-1434; Sherill Huun, Supervising Engineering, (916) 808-1455, Department of Utilities

Presenter: None

Department: Department Of Utilities

Division: Cip Engineering

Dept ID: 14001321

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-Memorandum of Understanding

City Attorney Review

Approved as to Form
Joe Robinson
8/10/2012 4:23:21 PM

City Treasurer Review

Reviewed for Impact on Cash and Debt
Russell Fehr
8/2/2012 4:02:53 PM

Approvals/Acknowledgements

Department Director or Designee: Jammie Moens - 8/8/2012 1:25:18 PM



Description/Analysis

Issue: This report requests City Council approval of a Memorandum of Understanding (MOU) with the Business Environmental Resource Center (BERC) to reimburse BERC's costs to conduct programs and activities which assisted in the implementation of the City's Sacramento Area-wide Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit (Permit No. CAS082597) for FY2008/09, FY2009/10 and FY2010/11, totaling \$200,850.

Policy Considerations: The Sacramento MS4 NPDES permit and associated management program is a federally mandated program. The stormwater program supports the City's 2030 General Plan Environmental Resources Goal 1.1: Protect local watersheds, water bodies and groundwater resources, including creeks, reservoirs, the Sacramento and American rivers, and their shorelines.

Economic Impacts: None

Environmental Considerations: The Community Development Department, Environmental Services Division has reviewed the proposed MOU and has determined the project is not a project under the California Environmental Quality Act (CEQA), CEQA Guidelines Section 15378, as BERC's programs and activities are an ongoing administrative activity.

Sustainability: The Sacramento MS4 NPDES permit and associated management program are consistent with the City Sustainability Master Plan's goals of reducing the use of pesticides and other toxic materials, protecting and restoring the City's urban creeks, and conserving the use and protection of sources of water.

Commission/Committee Action: Not Applicable

Rationale for Recommendation: The City and numerous other agencies have long been funding partners of BERC. The Sacramento MS4 NPDES permit requires implementation of a Commercial/Industrial Program to reduce the discharge of stormwater pollutants and effectively eliminate illegal non-stormwater discharges from businesses and industrial facilities. BERC's programs and activities in FY2008/09, FY2009/10 and FY2010/11 assisted the City's Department of Utilities (DOU) in implementation of the City's MS4 NPDES permit. Approval of the MOU is recommended to authorize payment for services provided during prior fiscal years before a MOU was in place, because:

- 1) staff agreed in concept to continue providing funding to BERC from the City's storm drainage program and funds were budgeted for this purpose in each of the fiscal years;
- 2) DOU staff sat on the BERC Steering Committee and participated in setting the Steering Committee's priorities; and
- 3) due to competing priorities and workload demands, there was a delay in preparing the MOU.

No funding authorization is being requested for FY2011/12 because DOU discontinued this participation beginning in FY2011/12.

Financial Considerations: The purpose of the MOU is to provide authorization for reimbursement to BERC for costs previously incurred by BERC to conduct programs and activities which assisted in implementation of the business compliance and educational outreach efforts required under the City's MS4 NPDES permit in FY2008/09, FY2009/10 and FY2010/11, in the amount of \$ 66,950 for each fiscal year.

The FY2008/09 costs in the amount of \$66,950 will be funded in the Capitol Improvement Project, FY04-FY08 NPDES Program (W14001600, Storm Drainage Fund 6011) and the FY2009/10 and FY2010/11 costs in the amount of \$133,900 will be funded in the Multi-Year Operating Project, FY10-FY14 NPDES Program (I14010200, Storm Drainage Fund 6011). W14001600 and I14010200 have sufficient funding for these costs.

Emerging Small Business Development (ESBD): BERC is not certified as an Emerging or Small Business Enterprise.



Background

In 1993 the Sacramento County Board of Supervisors authorized the formation of the Sacramento County Small Business Assistance Center, subsequently renamed the Business Environmental Resource Center (BERC), to assist businesses with compliance with federal, state and local environmental regulations. The City of Sacramento was an original funding partner and steering committee member. The other funding partners and steering committee members are Sacramento Metropolitan Air Quality Management District, Sacramento Regional County Sanitation District, Sacramento Regional Solid Waste Authority, Sacramento County Municipal Services Agency, Sacramento County Environmental Management Department, Sacramento County Department of Economic Development and Intergovernmental Affairs, Sacramento County Airport System, and Sacramento Municipal Utility District.

BERC's programs span a variety of regulatory assistance topics, such as air quality, hazardous materials, hazardous waste, food/environmental health, solid waste/recycling, wastewater, stormwater, business licensing, building inspection, and planning/zoning requirements. BERC's services to the business community include confidential business compliance consultations that include minimizing or avoiding adverse impacts of environmental regulation, business advocacy services, educational outreach, and promotion of pollution prevention practices.

The City of Sacramento operates a municipal separate storm drainage system (MS4) that is governed by the terms of a National Pollution Discharge Elimination System (NPDES) permit (California Regional Water Quality Control Board Central Valley Region Order No. R5-2008-0142, NPDES No. CAS082597). A component of this MS4 NPDES permit requires implementation of a Commercial/Industrial Program to reduce the discharge of stormwater pollutants and effectively eliminate illegal non-stormwater discharges from businesses and industrial facilities. This program includes regular compliance inspections and related enforcement, in addition to business outreach, to increase awareness of stormwater pollution and regulations and to educate business owners and operators about adequate best management practices. BERC's business compliance assistance, business advocacy, educational outreach and regulatory compliance, which among other things are designed to improve the business community's regulatory compliance and reduce pollutant releases to MS4s and the environment, have assisted in implementation of the Commercial/Industrial Program mandated under the City's MS4 NPDES permit. The Department of Utilities (DOU) oversees compliance with the City's MS4 NPDES permit including the Commercial/Industrial Program and has funded BERC on behalf of the City through the drainage fund.

For FY2008/09, FY2009/10 and FY2010/11, DOU staff agreed in concept to provide funding to BERC from the City's storm drainage program to continue to conduct these programs and activities that support the business compliance and outreach efforts required under the City's MS4 NPDES permit and budgeted for such. DOU staff sat on

the BERC Steering Committee and participated in setting the Steering Committee's priorities. The activities conducted by BERC for the City for FY2008/09, FY2009/10 and FY2010/11 are described in Exhibit A of the MOU and cost \$66,950 for each fiscal year, for a total payment to BERC of \$200,850.

City staff requests City Council approval of the MOU to reimburse BERC for its costs to conduct activities which assisted in implementation of the business compliance and outreach efforts required by the City's MS4 NPDES permit.

DOU discontinued funding BERC and participation on the steering committee beginning in FY2011/12.



**MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN
THE CITY OF SACRAMENTO AND
THE BUSINESS ENVIRONMENTAL RESOURCE CENTER**

THIS MOU is made and entered into as of this ____ day of _____, 2012, by and between the City of Sacramento (“City”) and the Business Environmental Resource Center (“BERC”).

RECITALS

WHEREAS, BERC is a resource center established in 1993 to provide confidential assistance to the Sacramento County business community on federal, state and local environmental regulations on behalf of BERC partner local agencies;

WHEREAS, BERC initiatives, programs, and educational efforts span a variety of regulatory assistance topics, such as air quality, hazardous materials, hazardous waste, food/environmental health, solid waste/recycling, wastewater, stormwater, business licensing, building inspection, and planning/zoning requirements;

WHEREAS, since its inception BERC has been funded by the City of Sacramento Department of Utilities and a variety of local agencies, including:

- Sacramento Metropolitan Air Quality Management District (SMAQMD)
- Sacramento Regional County Sanitation District (SRCSD)
- Sacramento Regional Solid Waste Authority (SWA)
- Sacramento County Municipal Services Agency (MSA) - Department of Water Resources, Planning and Community Development Department, and County Engineering
- Sacramento County Environmental Management Department (EMD)
- Sacramento County Department of Economic Development and Intergovernmental Affairs (DEDIA)
- Sacramento County Airport System
- Sacramento Municipal Utility District (SMUD);

WHEREAS, the City Department of Utilities operates a municipal separate storm drainage system (MS4) that is governed by the terms of a National Pollution Discharge Elimination System (NPDES) permit (California Regional Water Quality Control Board Central Valley Region Order No. R5-2008-0142, NPDES No. CAS082597);

WHEREAS, the City’s MS4 NPDES permit, requires, among other things, implementation of a Commercial/Industrial Program to reduce the discharge of stormwater pollutants and effectively eliminate illegal non-stormwater discharges from businesses and industrial facilities. This program includes regular compliance inspections and related enforcement in addition to business outreach. The permit’s business outreach requires the City to provide outreach to businesses to increase awareness of

stormwater pollution and regulations and to educate business owners and operators about adequate best management practices;

WHEREAS, BERC's business compliance assistance, business advocacy, educational outreach and regulatory compliance programs and activities, which among other things are designed to improve the business community's regulatory compliance and reduce pollutant releases to MS4s and the environment, have assisted in implementation of the Commercial/Industrial Program mandated under the City's MS4 NPDES permit, including those programs and activities conducted in fiscal years 2008-09, 2009-10 and 2010-11 and listed in Exhibit A, attached hereto;

WHEREAS, for fiscal years 2008-09, 2009-10 and 2010-11, City staff agreed in concept to provide funding to BERC from the City's storm drainage program to continue to conduct such programs and activities, in furtherance of the business compliance and outreach efforts required under the City's MS4 NPDES permit and related Stormwater Quality Improvement Plan, City Department of Utilities staff sat on the BERC Steering Committee and participated in setting the Steering Committee's priorities, and funding was budgeted for this purpose in each fiscal year, in the annual amount of \$ 68,000. The City discontinued these efforts beginning in fiscal year 2011-12;

WHEREAS, the purpose of this MOU is to provide authorization for reimbursement to BERC for an appropriate portion of the costs previously incurred by BERC to conduct such programs and activities in fiscal years 2008-09, 2009-10 and 2010-11.

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. The Recitals set forth above are incorporated by this reference.
2. To reimburse BERC for an appropriate portion of BERC's costs to conduct the programs and activities specified in Exhibit A in fiscal years 2008-09, 2009-10 and 2010-11, which assisted in implementation of the business compliance and educational outreach efforts required under the City's MS4 NPDES permit, the City shall pay BERC the sum of \$66,950 for each fiscal year's programs and activities, for a total payment to BERC of \$200,850.
3. BERC agrees to indemnify, defend and hold harmless the City, its officers, employees and agents, from and against any and all claims, actions, penalties, losses, liabilities, damages, or expenses of any nature, including payment of reasonable attorney's fees (collectively referred to as "Liabilities"), whether for personal injury, property damage or economic losses, arising out any act or omission of BERC, its officers, employees, contractors or agents in connection with the performance of or failure to perform any of the programs and activities specified in Exhibit A.
4. This MOU constitutes the entire agreement between the City and BERC concerning the subject matter described herein.

5. Except as provided herein, no alteration, amendment, variation, or waiver of the terms of this MOU shall be valid unless made in writing and signed by both parties.
6. This MOU may be executed in duplicate counterparts. The Agreement shall be deemed executed when it has been signed by both parties.

CITY OF SACRAMENTO,
a charter municipal corporation

By: _____
Dave Brent
Interim Director of Utilities

For: John F. Shirey
City Manager

APPROVED AS TO FORM:

ATTEST:

City Attorney

City Clerk

BUSINESS ENVIRONMENTAL RESOURCE CENTER

By: _____
Clark Whitten
BERC

Reviewed and Approved:

William C. Burke
Deputy County Counsel

Date: _____

EXHIBIT A

Report of BERC Activities for the City of Sacramento,
Department of Utilities
July 2008 – June 2009

Business Assistance: BERC provides free and confidential assistance to businesses on regulatory issues. A total of 905 clients were served countywide in FY 08-09

- 382 businesses with a Sacramento City zip code were counseled by BERC specialists on stormwater related subjects such as:
 - Is a wastewater recovery unit mandatory for a mobile washing business?
 - Can a clean “green” environmentally friendly soap be rinsed off into the storm drain?
 - Requirements for mobile detailing business
 - Request for courtesy list of compliant pressure washers
 - Stormwater Best Management Practices (BMPs) for grease trap cleaners
 - Information requests about Clean Water Business Partnership Program
 - Requests for assistance in preparing a Stormwater Implementation Plan (SWIP)
 - Can I dump my camper toilet wastewater into the storm drain?
 - Requests for information on where to dump pressure washer wastewater
 - Hazardous materials and Hazardous waste storage area BMP requests
 - Requests for info on charity car wash regulations
 - Requests for info on stormwater sampling procedures and how to respond to the state in annual reporting
 - Requests for help in writing a corrective action plan in response to Notice of Violation (NOV) for rooftop coil cleaning
 - Management requirements for stone cutting runoff
 - Requirements for pumping swimming pool water to street
 - Requests for assistance in finding Standard Industrial Code (SIC) for general permit coverage
 - Requests for assistance in completing annual stormwater report for SWRCB
 - Am I allowed to drain my auto wash rack to the storm drain in back of my shop?

New Business Outreach:

- The BERC New Business Welcome Wagon project sends an informatory letter to all new business license holders. It explains the regulatory requirements that a new business may expect (based on business type) and has helpful information. Approximately 717 packages were mailed to City of Sacramento zip codes.

Report of BERC Activities for the City of Sacramento,
Department of Utilities
July 2008 – June 2009

Workshops & Outreach: BERC conducted workshops, classroom training, exhibits, and business walks during which stormwater related educational brochures were distributed at 49 events attended by over 19,000 people.

Date	Type of Presentation	Event Title	subject info	Attendance	Location
18-Aug-08	workshop	SSB Workshop Sac County Business Recycling Ordinance Update		9	SMUD
19-Aug-08	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	2	
19-Aug-08	exhibit	Hispanic Chamber of Commerce Workshop		62	SMUD
28-Aug-08	exhibit	Business Journal Green Business Workshop		350	Sacramento Hyatt
8-Sep-08	SSB/BERC Presentation	Executive Airport Tenant Meeting		30	
9-Sep-08	Sacramento Regional RMDZ Meeting	Sacramento Regional Recycling Market Development Zone		10	
10-Sep-08	seminar	How to Sell Food In Sacramento	Restaurant and food service permitting requirements. Info on Stormwater BMPs for outdoor storage and equipment washing	14	BERC
11-Sep-08	meeting	Sacramento Area Pollution Prevention Committee		8	
18-Sep-08	seminar	A Pollution Solution: Hosting Compliant Fundraiser Carwashes		24	EMD Jackson Road, Sacramento
18-Sep-08	seminar	Sacramento Regional Solid Waste Authority's (SWA) new Business Recycling Ordinance		24	
18-Sep-08	Expo	Sacramento Sustainable Business Awards and Pollution Prevention Expo	Awards, P2 exhibits, and workshops	300	SMUD
26-Sep-08	exhibit	SARTA Cleanstart Clean Energy Showcase		2500	CSUS
7-Oct-08	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	5	
16-Oct-08	BERC/SSB exhibit	SARTA Clean Energy Showcase		2000	CSUS

Report of BERC Activities for the City of Sacramento,
Department of Utilities
July 2008 – June 2009

22-Oct-08	seminar	How to Sell Food in Sacramento	Restaurant and food service permitting requirements. Info on Stormwater BMPs for outdoor storage and equipment washing	11	BERC
6-Nov-08	Marketing	River Friendly Landscape Coalition		10	
14-Nov-08	Exhibit	Metro Chamber State of the County		500	Radisson Sacramento
18-Nov-08	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	10	
18-Nov-08	Technical	Green Entrepreneurs Workshop		45	Green Sacramento LLC
19-Nov-08	Marketing and Technical	10 Quick Tips for Auto Industry – Hazardous waste		20	BERC
20-Nov-08	classroom	How to Sell Food in Sacramento	Restaurant and food service permitting requirements. Info on Stormwater BMPs for outdoor storage and equipment washing	10	BERC
4-Dec-08	lecture	How to Sell Food in Sacramento	Restaurant and food service permitting requirements. Info on Stormwater BMPs for outdoor storage and equipment washing	10	BERC
7-Oct-08	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	5	
16-Oct-08	BERC/SSB exhibit	SARTA Clean Energy Showcase		2000	CSUS
22-Oct-08	seminar	How to Sell Food in Sacramento	Restaurant and food service permitting requirements. Info on Stormwater BMPs for outdoor storage and equipment washing	11	BERC
6-Nov-08	Marketing	River Friendly Landscape Coalition		10	
14-Nov-08	Exhibit	Metro Chamber State of the County		500	Radisson Sacramento

Report of BERCC Activities for the City of Sacramento,
Department of Utilities
July 2008 – June 2009

18-Nov-08	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	10	
18-Nov-08	Technical	Green Entrepreneurs Workshop		45	Green Sacramento LLC
19-Nov-08	Marketing and Technical	10 Quick Tips for Auto Industry – Hazardous waste		20	BERC
20-Nov-08	classroom	How to Sell Food in Sacramento	Restaurant and food service permitting requirements. Info on Stormwater BMPs for outdoor storage and equipment washing	10	BERC
4-Dec-08	lecture	How to Sell Food in Sacramento	Restaurant and food service permitting requirements. Info on Stormwater BMPs for outdoor storage and equipment washing	10	BERC
7-Oct-08	classroom	Food Safety Manager Training and Certification	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	5	
16-Oct-08	BERC/SSB exhibit	SARTA Clean Energy Showcase		2000	CSUS
22-Oct-08	seminar	How to Sell Food in Sacramento	Restaurant and food service permitting requirements. Info on Stormwater BMPs for outdoor storage and equipment washing	11	BERC
6-Nov-08	Marketing	River Friendly Landscape Coalition		10	
14-Jan-09	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	14	BERC
2-Feb-09	presentation	Sac News and Review Green Apartment Partnership	provide info for apt managers on proper environmental behaviors	22	

Report of BERC Activities for the City of Sacramento,
Department of Utilities
July 2008 – June 2009

17-Feb-09	BERC presentation	How to Sell Food in Sacramento	Restaurant and food service permitting requirements. Info on Stormwater BMPs for outdoor storage and equipment washing	8	BERC
18-Feb-09	booth exhibit	SARTA - "Greening Your Business - Conserving the Environment and Your Bottom Line"		75	Sacramento
24-Feb-09	classroom	Food Safety Manager Training and Certification	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	9	BERC
2-Mar-09	meeting	SNR Green Apartment Partnership	provide info for apt managers on proper environmental behaviors	18	
3-Mar-09	Exhibit	SMUD Energy Efficiency Fair		220	SMUD
16-Mar-09	Exhibit	Green California Summit		1500	Sacramento Convention Center
17-Mar-09	Exhibit	Green California Summit		1500	Sacramento Convention Center
18-Mar-09	Exhibit	Green California Summit		1500	Sacramento Convention Center
27-Mar-09	Conference - Exhibit	Green Capital Alliance Workshop		500	CSUS
04-Apr-09	Exhibit	Green Home Expo		1400	Sacramento Convention Center
26 – Apr 09	Exhibit	ECOS Earth Day Event		2500	Sacramento Southside Park

Report of BERC Activities for the City of Sacramento,
Department of Utilities
July 2008 – June 2009

Pollution Prevention (P2)

BERC continued to advance the pollution prevention concerns of member agencies by conducting the Annual Pollution Prevention Expo & Sacramento Sustainable Business Awards, recognizing the accomplishments of 12 businesses and agencies, on September 18, 2008 (350 attendees, 36 exhibitors, 5 workshops with over 100 students). Cal EPA Deputy Director Leonard Robinson was the keynote speaker, and KCRA TV 3 News Anchor Pamela Wu was hostess. The event was held at the Sacramento Municipal Utility District headquarters in Sacramento. Workshops included “A Pollution Solution: Hosting Complaint Fundraiser Carwashes”.

Sustainable Business Program (SSB)

Founded on our former Green Business Program, the Sacramento Sustainable Business Program encourages, assists and certifies businesses taking voluntary action to reduce pollution and conserve resources. Participants are recognized with a distinguished placard to display at their facility, and are given free publicity on the SustainableSacramento.com website and in the Sacramento Business Journal ads.

There are five environmental categories in the SSB: Pollution Prevention, Solid Waste Reduction, Water Conservation, Energy Conservation, and Green Building Practices.

A business seeking certification will complete a checklist of sustainability measures for each category. Many of these measures are actually Stormwater BMP practices, including:

- Apply organic fertilizer to your landscape only when needed, rather than on an automatic schedule. Do not over-fertilize or use high nitrogen fertilizers. Ensure that your landscaper follows this practice.
- Use dry surface cleaning methods, followed by damp mopping or wiping instead of hosing down outdoor areas
- Install a water efficient irrigation system, using a low volume drip system that applies water to soil / plant roots, matched precipitation rate heads for turf areas, and weather based irrigation controllers.
- Complete a water use assessment of your facility.*
- Inspect and clean private storm drains annually before the first rain, and as needed thereafter.
- Install containment or berms around outdoor liquid storage and transfer areas to capture spills.
- Keep storm drain protection devices on hand for quick spill response.
- Label storm water drains with “No dumping...” message.
- Participate in the “Adopt-a-Storm Drain” program.
- Post signs at dumpster to remind employees to keep it closed.
- Regularly clean litter including cigarette butts from areas surrounding facility and dispose of properly. Provide adequate ash trays to prevent cigarette litter, if necessary.
- Routinely check company vehicles for leaks and staining on pavement.
- Use a Clean Water Business Partner Program (CWBP) carpet cleaner, landscaper, or mobile power washer.
- Participate in the “Adopt-A-Waterway” program.
- Post signs at all trash cans reminding employees to avoid placing liquids in trash and the dumpster.

Report of BERC Activities for the City of Sacramento,
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July 2008 – June 2009

- Distribute educational material to employees and customers on stormwater protection.
- Offer lockers and showers for employees who walk or bicycle to work.
- Routinely clean dumpster area.
- Start a "Paint-A-Drain Campaign" for your neighborhood.
- Use landscaping or barriers to prevent soil erosion especially during construction or remodeling activities.
- Eliminate the use of chemical pesticides by correcting situations that attract or harbor pests.
- Recycle paint (use as a primer, give to hazardous waste collection program, or donate to a community organization).
- Recycle used motor oil, solvent, and/or grease.

Approximately 125 business were participating in the in the countywide program in FY08-09.

In the City of Sacramento; 21 businesses completed the certification process and 31 are working on implementing measures.

Report of BERC Activities for the City of Sacramento,
Department of Utilities
July 2009 – June 2010

Business Assistance: BERC provides free and confidential assistance to businesses on regulatory issues. A total of 875 clients were served countywide in FY 09-10

- 268 businesses with a Sacramento City zip code were counseled by BERC specialists on stormwater related subjects including:
 - Questions regarding stormwater agency regulation of gas stations, parking lots as NPDES & Clean Water Act violations
 - Requests for a lists of state certified laboratories to conduct stormwater testing
 - How to report stormwater discharges at neighboring business
 - Questions about stormwater compliance for pressure washers and different interpretations by different jurisdictions.
 - Requests for Information on lead management issues with pressure washing building having lead paint
 - Request for help in resolving stormwater Notice of Violations (NOVs) for bus washing operations
 - Information on disposing of pressure washing water and rainwater captured in secondary containment area.
 - Information on integrated pest management
 - Hazardous material/waste storage on exterior premise as it relates to stormwater inspections
 - Starting a automotive business – how do I comply with regulatory requirements including hazardous waste/materials storage
 - Do I need to cover my oil water separator to comply with stormwater requirements?
 - Can I wash mats from my restaurant outdoors?
 - How do I clean dog kennels and comply with stormwater regulations
 - Questions about mobile food vehicle disposal of wastewater to storm drain
 - Starting new furniture restoration business – can furniture stripping be done outside of the building?
 - Hazardous material and Hazardous waste storage area Best Management Practices (BMPs) requests
 - Requests for information on charity car wash regulations
 - Information on secondary containment waste water as it relates to stormwater management
 - Stormwater Pollution Prevention Plan (SWPPP) requirements for auto dismantling operations
 - SWPPP requirements for automotive businesses
 - Request for information on submitting a Notice of Non-Applicability (NONA) in lieu of an Notice of Intent (NOI)
 - Runoff management requirements for stone cutting runoff
 - Requirements for pumping swimming pool water to street
 - Request for assistance with wash pad drainage violations
 - Request for assistance in completing corrective action plan for stormwater NOV

Report of BERC Activities for the City of Sacramento,
Department of Utilities
July 2009 – June 2010

- What kind of secondary containment is required at my waste oil storage area?
- How do I comply with stormwater regulations at an auto dismantling business?

New Business Outreach:

- The BERC New Business Welcome Wagon project sends an informatory letter to all new business license holders. It explains the regulatory requirements that a new business may expect (based on business type) and has helpful information. Approximately 523 packages were mailed to city zip codes.

Report of BERC Activities for the City of Sacramento,
Department of Utilities
July 2009 – June 2010

Workshops & Outreach: BERC conducted workshops; classroom training, exhibits, and business walks during which stormwater related educational brochures were distributed at 21 events attended by over 8,000 business operators and employees.

Date	Type of Presentation	Event Title	subject info	Attendance	Location
6-Aug-09	booth exhibit	Small Business Workshop		250	Sacramento City College
12 Aug 09	classroom	Food Safety Manager Training and Certification	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	9	classroom
28 Aug 09	exhibit	Mission Green and Clean workshop		400	Hyatt Regency Sacramento
17-Sep-09	tabletop	Sacramento Sustainability Forum		60	Sacramento
18-Sep-09	table top exhibit	Energy Efficiency—Programs and Products for Retailers and Restaurants		50	SMUD
24-Sep-09	Expo	Sustainable Business Awards & Pollution Prevention Expo	Awards, P2 exhibits, and workshops	350	SMUD
16-Oct-09	BERC/SSB Exhibit	SARTA Sacramento CleanTech Showcase @ CSUS		1000	CSUS
22-Oct-09	SSB Booth	City of Sacramento (McCarty's) Clean Technology Zone Summit		225	City of Sacramento Planning

Report of BERC Activities for the City of Sacramento,
Department of Utilities
July 2009 – June 2010

24 Nov 09	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	11	classroom
16 Dec 09	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	7	classroom
28 Jan 10	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	12	classroom
11 Mar 10	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	15	classroom
16-Mar-10	Presentation & Exhibit	Take Advantage of the Growing Green Economy		150	Sacramento Convention Center
2-Apr-10	Presentation & Exhibit	“SOS” Small Business Education & Sustainability Event		75	Sofia, 815 11 th Street
15 Apr 10	BERC presentation	City of Sacramento Economic Development - Sponsored Business Walk		150	Pell/Main/Norwood business area
24-Apr-10	BERC SSB Exhibit	Green Sacramento Expo		2500	Cal Expo
25-Apr-10	BERC SSB Exhibit	Green Sacramento Expo		2500	Cal Expo
29 Apr 10	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	8	classroom

Report of BERC Activities for the City of Sacramento,
Department of Utilities
July 2009 – June 2010

20 May 10	BERC presentation	City of Sacramento Economic Development - Sponsored Business Walk		160	The River district
10 Jun 10	BERC presentation	Metro Chamber-Sponsored Business Walk	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	180	Greater Broadway Business Area
23 Jun 10	classroom	Food Safety Manager Training and Cert		11	classroom

Pollution Prevention (P2)

BERC continued to advance the pollution prevention concerns of member agencies by conducting the Annual Pollution Prevention Expo & Sacramento Sustainable Business Awards, recognizing the accomplishments of 26 businesses and agencies, on September 24 2009 (380 attendees, 32 exhibitors, 5 workshops with over 150 students). Cal EPA Deputy Director Leonard Robinson was the host, and Metro Chamber President Matt Mahood was the keynote speaker. The event was held at the Sacramento Municipal Utility District headquarters in Sacramento. Workshops included:

- ✓ **New Air Quality Regulations for Auto Body & Refinishing Shops** – Permitting, compliance, & Paperwork -Presented by the Sacramento Metropolitan Air Quality Management District.
- ✓ **Overview of California's Climate Protection Program** - Presented by the Sacramento Metropolitan Air Quality Management District.
- ✓ **How to Become a Certified Sustainable Business** – Presented by BERC
- ✓ **Sustainability Solutions for Commercial Building Owners** - Russell Garcia, Executive Director of the Green Cabinet
- ✓ **AB 32 Greenhouse Gas Emissions** – Compliance resources for small business. Presented by the Kyra S. Naumoff, PhD, California Air Resources Board

Sustainable Business Program (SSB)

Founded on our former Green Business Program, the Sacramento Sustainable Business Program encourages and assists businesses in taking voluntary action to reduce pollution and conserve resources. Participants are recognized with a distinguished placard to display at their facility, and are given free publicity on the SustainableSacramento.com website and in the Sacramento Business Journal ads.

There are five environmental categories in the SSB: Pollution Prevention, Solid Waste Reduction, Water Conservation, Energy Conservation, and Green Building Practices.

Report of BERCC Activities for the City of Sacramento,
Department of Utilities
July 2009 – June 2010

A business seeking certification will complete a checklist of sustainability measures for each category. Many of these measures are Stormwater Best Management Practices (BMPs) practices, such as:

- Apply organic fertilizer to your landscape only when needed, rather than on an automatic schedule. Do not over-fertilize or use high nitrogen fertilizers. Ensure your landscaper follows this practice.
- Use dry surface cleaning methods, followed by damp mopping or wiping instead of hosing down outdoor areas
- Install a water efficient irrigation system, using a low volume drip system that applies water to soil / plant roots, matched precipitation rate heads for turf areas, and weather based irrigation controllers
- Complete a water use assessment of your facility.*
- Inspect and clean private storm drains annually before the first rain, and as needed
- Install containment or berms around outdoor liquid storage and transfer areas to capture spills.
- Keep storm drain protection devices on hand for quick spill response.
- Label storm water drains with "No dumping..." message.
- Participate in the "Adopt-a-Storm Drain" program.
- Post signs at dumpster to remind employees to keep it closed.
- Regularly clean litter including cigarette butts from areas surrounding facility and dispose of properly. Provide adequate ash trays to prevent cigarette litter, if necessary.
- Routinely check company vehicles for leaks and staining on pavement.
- Use a Clean Water Business Partner Program (CWBPP) carpet cleaner, landscaper, or mobile power washer.
- Participate in the "Adopt-A-Waterway" program.
- Post signs at all trash cans reminding employees to avoid placing liquids in trash and the dumpster.
- Distribute educational material to employees and customers on stormwater protection.
- Offer lockers and showers for employees who walk or bicycle to work.
- Routinely clean dumpster area and keep lids closed.
- Start a "Paint-A-Drain Campaign" for your neighborhood.
- Use landscaping or barriers to prevent soil erosion especially during construction or remodeling activities.
- Eliminate the use of chemical pesticides by correcting situations that attract or harbor pests.
- Recycle paint (use as a primer, give to hazardous waste collection program, or donate to a community organization).
- Recycle used motor oil, solvent, and/or grease.

Approximately 225 business were participating in the in the countywide program in FY 09-10

In the City of Sacramento; 29 businesses completed the certification process and 36 are working on implementing measures.

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Business Assistance: BERC provides free and confidential assistance to businesses on regulatory issues. A total of 715 clients were served countywide in FY 10-11

- 239 businesses with a Sacramento City zip code were counseled by BERC specialists on stormwater related subjects including:
 - Information about Best Management Practices (BMPs) for outdoor storage of used tires
 - I need help with finding Stormwater Pollution Prevention Plan (SWPPP) requirements for auto dismantling operations
 - Request for information on submitting a Notice of Non-Applicability (NONA) in lieu of a Notice of Violation (NOI)
 - Requests for assistance after stormwater inspection of hazardous waste/material storage areas
 - Requests for assistance for employee training as it relates to hazardous material storage
 - Runoff management requirements for stone cutting runoff
 - Mobile food business wants information on stormwater related to waste discharges while selling food
 - Gasoline station stormwater related questions after inspection
 - Requirements for pumping swimming pool water to street
 - Request for assistance with wash pad drainage violation
 - Request for assistance in completing corrective action plan for stormwater Notice of Violation (NOV)
 - What kind of secondary containment is required at my waste oil storage area?
 - Questions regarding stormwater agency regulation of gas stations, parking lots as a National Pollutant Discharge Elimination System (NPDES) & Clean Water Act violations
 - Request for a list of state certified laboratories for stormwater testing
 - How to report stormwater discharge at neighboring business
 - Questions about stormwater compliance for pressure washers and different interpretations by different jurisdictions.
 - Request for Info on lead management issues with pressure washing building having lead paint
 - Request for help in resolving stormwater NOV for bus washing operations
 - Information on disposing of pressure washing water and rainwater captured in secondary containment area.
 - Can a Mobile food vehicle dispose wastewater to storm drain
 - Hazardous material and Hazardous waste storage area BMP requests
 - Requests for info on charity car wash regulations

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New Business Outreach:

- The BERC New Business Welcome Wagon project sends an informatory letter to all new business license holders. It explains the regulatory requirements that a new business may expect (based on business type) and has helpful information. Approximately 623 packages were mailed to city zip codes.

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Workshops & Outreach: BERC conducted workshops; classroom training, exhibits, and business walks during which stormwater related educational brochures were distributed at 34 events attended by over 16,000 business operators and employees.

Date	Type of Presentation	Event Title	subject info	Attendance	Location
22 Jul 10	BERC presentation	City of Sacramento Economic Development - Sponsored Business Walk		175	Broadway/Stockton district
05-Aug-10	Marketing	Bringing Contracting Opportunities to Businesses		75	
17-Aug-10	BERC SASB Exhibit	Greenwise Sacramento		500	Sacramento
25 Aug 10	classroom	Food Safety Manager Training and Certification	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	5	
27-Aug-10	BERC SASB Exhibit	Business Journal Green Business Workshop		800	Hyatt Regency
29 Sep 10	BERC presentation	Sacramento Small Business Energy and Water Makeover Business Walk		200	Oak Park business area
30-Sep-10	BERC SSB Exhibit	Greenwise Sacramento		800	Sacramento
08-Oct-10	BERC SSB Exhibit	Annual Sustainable Business Awards Expo		500	SMUD
26-Oct-10	BERC SSB Exhibit	SARTA Clean Tech Showcase		2,500	CSUS
2 Nov 10	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	5	

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03-Nov-10	BERC-RMDZ	Sacramento Waste Action Team		10	Sacramento
04-Nov-10	BERC SSB Exhibit	3rd annual Sacramento Regional Connecting Point		1,000	Sacramento
04-Nov-10	BERC SSB Exhibit	Early Bird Economic Forecast 2011		1,000	Hyatt Regency
09-Nov-10	BERC RMDZ	Waste and Recycling Committee		50	Sacramento
19 Nov 10	BERC Exhibit	Greenwise		300	Hyatt Regency
02-Dec-10	BERC SSB Exhibit	Governors Small Business Conference	Info for new business operators	2000	Doubletree Sacramento
7 Dec 10	BERC presentation/exhibit	Greenwise		250	California Museum
8 Dec 10	BERC presentation	PG&E Going Green Workshop		200	Doubletree Sacramento
14 Dec 10	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	5	
19 Jan 11	classroom	Food Safety Manager Training and Cert	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	5	
20 Jan 11	BERC presentation	Sacramento Sustainability Forum		75	SMUD

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25 Jan 11	BERC presentation	Governors Small Business Advocate's Advisory Group		35	DGS
8 Feb 11	BERC exhibit	Greenwise	Sustainability measures	700	Guild Theatre
15 Feb 11	BERC presentation	Professional Environmental Managers Association	Environmental managers	30	Sacramento
2 Mar 11	BERC presentation	Greenwise	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	200	Crocker Museum
23 Mar 11	classroom	Food Safety Manager Training and Cert		5	
14 Apr 11	BERC presentation	City of Sacramento Economic Development - Sponsored Business Walk		200	South Stockton/Little Saigon
19 Apr 11	BERC Exhibit	Green California Summit		1,500	Sacramento Convention Center
20 Apr 11	BERC Exhibit	Green California Summit		1,800	Sacramento Convention Center
15 May 11	BERC presentation	Metro Chamber-Sponsored Business Walk		225	Natomas
19 May 11	BERC Exhibit	Sacramento Metro Expo		1,000	Sacramento Convention Center

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19 May 11	BERC presentation	City of Sacramento Economic Development - Sponsored Business Walk		125	Florin Rd.
25 May 11	BERC exhibit	Going for the Green	Restaurant and food service health and safety codes. Info on Stormwater BMPs for outdoor storage and equipment washing	350	Gateway Towers
8 Jun 11	classroom	Food Safety Manager Training and Cert		5	

Pollution Prevention (P2)

BERC continued to advance the pollution prevention concerns of member agencies by conducting the Annual Pollution Prevention Expo & Sacramento Area Sustainable Business Awards, recognizing the accomplishments of 12 businesses and agencies, on October 8, 2010, 400 attendees, 45 exhibitors, 2 workshops with over 100 students. Cal EPA Deputy Director Leonard Robinson was the host, and La Ronda Bowen, Ombudsman for the California Air Resources Board, was the keynote speaker. The event was held at the Sacramento Municipal Utility District headquarters in Sacramento. Workshops included:

- ✓ **Alternative Fuel Vehicles (AFVs)—Here and Now:** Learn about the features of the AFVs on display at this event and discover how these vehicles reduce air pollution, energy impacts and promote sustainability while decreasing air emissions. Learn about future technology, rebates & incentives.
- ✓ **How To Become A Certified Sacramento Sustainable Business**

Sacramento Area Sustainable Business Program (SASB)

Founded on our former Green Business Program, the Sacramento Area Sustainable Business Program encourages and assists businesses in taking voluntary action to reduce pollution and conserve resources. Participants are recognized with a distinguished placard to display at their facility, and are given free publicity on the SustainableSacramento.com website and in the Sacramento Business Journal ads.

There are now six environmental categories in the SASB: Pollution Prevention, Solid Waste Reduction, Water Conservation, Energy Conservation, Green Building Practices, and our newest category Air Quality & Transportation.

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- Recycle paint (use as a primer, give to hazardous waste collection program, or donate to a community organization).
- Recycle used motor oil, solvent, and/or grease.

Approximately 325 business were participating in the in the countywide program in FY 10-11

In the City of Sacramento; 155 businesses have completed the certification process and 22 are working on implementing measures to become certified.