

AGENDA
Discussion Meeting for
Monterey Regional Storm Water Management Plan
Monterey Conference Center, Colton Rooms, One Portola Plaza, Monterey
Tuesday, June 8, 2004
Note revised time: 1:00 – 4:30

I. Introduction of Participants (15 minutes total)

<u>Commenters (alphabetic)</u>	<u>Monterey Regional Group</u>	<u>Other</u>
American Cetacean Society	City of Monterey	Regional Water Quality Control Board
California Coastal Commission	City of Del Rey Oaks	
Friends of the Sea Otter	City of Sand City	
Lawyers for Clean Water	City of Seaside	
Monterey Bay National Marine Sanctuary	City of Pacific Grove	
National Resources Defense Council	City of Carmel	
Ocean Conservancy (The)	City of Marina	
Save our Shores	Pebble Beach Company	
	Monterey County	

II. Mission of Group (20 min)

- Regional Board (RB) staff will propose a Mission Statement
- Group will modify if necessary, and adopt

III. Ground Rules (20 min.)

- Regional Board (RB) staff will propose ground rules
- Group will modify if necessary, and adopt

IV. Phase II Requirements (20 minutes)

- Presented by Regional Board staff

V. Sorting of Discussion Points into common/divergent areas of agreement (30 min.)

- RB staff will provide Discussion Points based on our understanding of main points
- Entire group to help discern areas of agreement

VI. Potential Solutions (1.5 hour)

- Solutions will likely be continued at a future meeting.

VII. Closing Decisions (15 min.)

- Is it advantageous to meet again?
- Should this item remain on the July 9 Regional Board Meeting agenda (in Watsonville)?



Terry Tamminen
Secretary for
Environmental
Protection

California Regional Water Quality Control Board

Central Coast Region



Arnold Schwarzenegger
Governor

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KEY POINTS

from

Monterey Regional Storm Water Management Program (MRSWMP) Group Meeting
June 8, 2004

Attendees: as separate attachment

Discussion Topics handed out at meeting: see attachment

Key Points discussed at meeting:

1. Mission of June 8, 2004 Meeting:

“Efficient and timely use of MS4 resources to further develop an effective and legally compliant draft Storm Water Management Program (SWMP) for water quality protection.”

2. Meeting Ground Rules

- i. Address people and ideas respectfully
- ii. Raise hand and speak in turn
- iii. Don't interrupt (Except for facilitator for time considerations)
- iv. Stick to time schedule unless group agrees otherwise
- v. Resolved issues will not be revisited unless new information arises.
- vi. When/if communicating with the press, express your own (or your organization's) views and suggest that the interviewer also get other panel member's views.
- vii. Keep a positive, open mind
- viii. Think creatively
- ix. These rules can be changed by the group, if the necessity arises.

3. Purpose of SWMP (Discussion Topic Item 3)

The Monterey Regional group (MS4 representatives) agreed to reword the MRSWMP Purpose statement. The Purpose will emphasize protection of water quality through the implementation and enforcement of a series of BMPs. The BMPs are intended to reduce storm water pollution from the MS4s to the maximum extent practicable. The SWMP will conform to the water quality protection measures required by the Clean Water Act.

3. Public Notice ('Discussion Topics' Item 5):

The Monterey Regional group (MS4 representatives) agreed to clarify the target audience, timing, location and purpose of the two workshops per year described in the MRSWMP. The Monterey Regional group explained that their plans for the first Permit-year's two workshops were to make the public aware of the MRSWMP and its contents, but that the following Permit-year workshop topics and target audiences would be dependant upon needs that arose during the year. The MRSWMP modifications will better explain the intent of the workshops.

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Regional Board staff explained that if significant changes are proposed to the adopted (final) MRSWMP, public notice is required. Regional Board staff, with legal input, is responsible for determining what constitutes "significant changes".

4. Specific BMPs and Watershed Approach ('Discussion Topics' Items 1 and 12)

Monterey Regional group agreed to revise the MRSWMP to reflect each MS4's specific choices of BMPs. The MRSWMP would also explain why BMPs were chosen or excluded. The Monterey Regional group will use a common sense approach when providing explanations. Commenters requested that the explanations include a discussion, when appropriate, on whether a "watershed approach" was considered. For example, the MRSWMP should explain why cities in the same watershed were not choosing to do the same BMPs at the same time, if that was the case.

5. Attachment 4 ('Discussion Topics' Item 6)

Commenters expressed the view that the MS4s should be required to comply with the Permit's Attachment 4 requirements because of the cities' interconnected geography and impact to receiving waters. Regional Board staff took the position that because each city is not individually required to comply with Attachment 4, then the Monterey Regional group would not be required to comply. Commenters and Regional Board staff recognized that there may not be agreement on this issue, and that the issue might be taken before the Regional Board. The Monterey Group questioned whether such disagreement would impede the stakeholder-process of attempting to reach an agreed-upon MRSWMP. Commenters responded they were willing to work with MS4s through this stakeholder process at this time, despite potential disagreements over Permit interpretation by Regional Board staff.

The Monterey Regional group expressed willingness to adopt and implement storm water program elements that were protective of water quality, but at the same time the group expressed limitations as to what BMPs, including Attachment 4 requirements, they were able to commit to. Limitations include current budget, knowledge about future funding, and public support. The Monterey Regional group requested help with funding avenues and public support from the Commenters, who represent the public.

6. Regional Board Hearing vs Stakeholder Process

The entire group expressed willingness to continue working toward the stated Mission (see 1st Key Point, above) through the Stakeholder process initiated at today's meeting. Commenters requested that the MRSWMP item remain on the Regional Board agenda; however, everyone agreed that the July Regional Board hearing was too soon for the Monterey Group to revise the MRSWMP. Regional Board staff will move the MRSWMP agenda item to a later Regional Board hearing¹. Please see the footnote for this item.

¹ At the June 8, 2004 meeting, the group discussed moving the MRSWMP item to the October 22, 2004 Regional Board hearing, scheduled in Santa Barbara. Regional Board management advised Regional Board staff that the Santa Barbara location will not best serve the local Monterey-area public. For this reason, Regional Board staff and management prefer to place the MRSWMP item on the agenda for the December 3, 2004 Board meeting to be held in San Luis Obispo, which is 160 miles closer to Monterey than Santa Barbara. No other Board hearings are scheduled for the northern part of the region this year.

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7. Anticipated Future Action

The Monterey Regional group will revise the MRSWMP. Interested parties, including Regional Board staff and the Commenters, will review the new draft MRSWMP. At that time, any of the group (Monterey Group members, Commenters, Regional Board staff) should decide whether the Stakeholder process is still the best avenue for resolution of issues, or whether it would be more productive to place the issues before the Regional Board for a final decision. Regional Board staff will field comments on which course of action to pursue, and will keep in communication with the entire group.

8. Action Items

Dates for action items were not decided at the meeting; Regional Board staff will request/provide reasonable timelines.

Action Item	Responsible person(s)
Revise SWMP purpose statement	Monterey Regional group (MS4 group)
Ask legal council about Public Notice Requirements	Regional Board staff
Revise SWMP BMPs to give more detail	Monterey Regional group (MS4 group)
Discussion items numbers 6, 7, 10, 18 (attached) must have definitive decision.	Regional Board staff
Revise SWMP to include detailed information about the public workshops – including timing, target audiences, locations. First year's meetings will have more detail about content. Following year's meeting content will be determined as public-information needs become apparent throughout the Permit term.	Monterey Regional group (MS4 group)

Attachments:

Attendee list with phone numbers
Discussion Topics

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Discussion Topics for Monterey Regional SWMP Group Meeting

Taken from Comment Letters. Not listed in any particular order

1. BMPs described in the MRSWMP should be specific enough for reviewers of the document to determine whether the MRSWMP will address (known or assumed) storm water pollution.
2. More inclusive BMP programs than those described in the MRSWMP are cost effective MEP in smaller cities.
3. The primary purpose of the MRSWMP is to improve water quality. Achieving this goal will meet the intent of the Storm Water Permit.
4. Measurable goals should quantify the progress of program implementation and BMP performance (or effectiveness).
5. The SWMP should outline what the state and local public notice requirements are, and how they will be met.
6. Because of its population, the Monterey Regional group qualifies for the Permit's Attachment 4 requirements.
7. All new municipal storm water permits "must be consistent with" SUSMP (new development and redevelopment BMPs adopted by Los Angeles) provisions.
8. The SWMP should outline a Program. The Program must describe BMPs, and provide measurable goals. The Reporting portion of the Program must answer "are we meeting the stated goals?".
9. The following specific items should be addressed: pollution from landscaping and pest control, discharges from boats, small-scale and on-site treatment BMPs, discharge of only dechlorinated pool and spa water from domestic or municipal sources, advanced storm water filtration systems at critical locations (outfalls to the ocean, parking lots). Public agency activities, including maintenance and inspection requirements and dry weather diversion of flows from the MS4 to wastewater treatment facilities should be added to the SWMP.
10. Storm water discharges to Areas of Special Biological Significance are prohibited and must be discontinued.
11. The MRSWMP can be implemented in the most timely and cost effective manner if existing resources (programs, knowledge sources, etc.) can be utilized.
12. The most effective storm water program would include a watershed approach to BMP choice and implementation.
13. The MRSWMP should include a method of determining the water pollution sources if a water pollution discharge is discovered.
14. Non-structural BMPs (such as slope protection, riparian setbacks, buffers or swales) are preferable to Structural BMPs (such as detention basins, filtration devices).
15. The MRSWMP should create funding mechanisms that take advantage of economies of scale.
16. Local Coastal Plans (LCPs) will soon have requirements similar to Attachment 4, and therefore the MRSWMP should incorporate these requirements.
17. Objectives of potential ordinance modifications should be described adequately enough for reviewers to evaluate, and for MS4 staff to write.
18. Water quality monitoring is a critical feedback tool to determine if the Phase II Programs are actually ensuring protection of water quality.

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