

STORM WATER ADVISORY TASK FORCE (SWATF)

MEETING MINUTES- JUNE 16, 2008*

(*DRAFT, until approved by the SWATF; to be reviewed at September 15, 2008, meeting.)

ATTENDEES

SWATF Members: Mr. Drew Bohan – California Ocean Protection Council (OPC); Mr. Geoff Brosseau - California Stormwater Quality Association (CASQA); Mr. Tom Dalziel - Contra Costa County; Dr. Mark Gold - Heal the Bay; Dr. Mark Grey - Building Industry Association of Southern California; Ms. Lillian Kawasaki - Water Replenishment District of Southern California; Dr. Timothy Lawrence - University of California at Davis; Mr. Scott McGowen - California Department of Transportation; Ms. Linda Sheehan - California Coastkeeper Alliance; Mr. Jon Van Rhyn - San Diego County; Mr. Al Wanger - California Coastal Commission; Mr. John Woodling (for Mr. Mark Cowin)- Department of Water Resources (DWR)

Absent SWATF Members: Mr. David Beckman - Natural Resources Defense Council; Mr. Kevin Buchan - Western States Petroleum Association; Ms. Mary Lee Knecht - Sacramento River Watershed Program

State Water Resources Control Board (State Water Board): Mr. Jonathan Bishop, Ms. Meghan Brown, Ms. Bridget Chase, Ms. Shahla Farahnak, Mr. Bruce Fujimoto, Mr. James Herink, Ms. Annalisa Kihara, Mr. James Maughan, Ms. Danielle Siebal, Board Member Frances Spivy-Weber, Ms. Erin Ragazzi, Executive Director Dorothy Rice, Ms. Laurel Warddrip

Members of the Public: Ms. Danielle Blacet - Association of California Water Agencies; Mr. Don Crocker – OPC

Facilitator: Mr. Jeff Loux

ITEMS DISCUSSED

1) Review minutes from April 7, 2008, SWATF Meeting

- Recommended Revision: Add discussion regarding provision of SWATF input on the funding criteria for other funding programs (i.e., Proposition 1E, Proposition 84 Integrated Regional Watershed Management [IRWM])
- Approved April 7, 2008, Meeting Minutes, based on inclusion of the above recommended revision.

2) Update on *Resolution of the California Ocean Protection Council Regarding Low Impact Development (LID)* (presented by SWATF Member Drew Bohan)

- Intended to help demonstrate that the Governor's administration supports LID
 - To help encourage related changes to storm water permits
 - To help local engineers, planners, etc. demonstrate that LID is an accepted approach and educate resistant managers, local elected officials, etc.
- Also helps document OPC's priorities for future project funding

3) LID Educational Target Audiences by Project Development of Approval Stages (presented by SWATF Member Al Wanger)

- Outlines how to better ensure that LID is appropriately implemented, by requiring that it be addressed: 1) in local planning (i.e. General Plan, local ordinances, and codes), and 2) earlier in the project planning and design phases
- Identifies the appropriate audiences to target during these different phases

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4) Discuss Possible Use(s) of Public Resources Code (PRC) Section 75072 for the Proposition 84 Storm Water Grant Program (SWGP) Funding

- Possible options, provided by State Water Board staff:
 - Review/Evaluation of Municipal Separate Storm Sewer Systems (MS4) Permit Requirements for New Development and Redevelopment Projects
 - Sediment-Bound Pollutants Research
 - Industrial and Construction Site Storm Water Discharge Characterization
 - Evaluating LID Regulatory Barriers (guidance exists for many of these issues-street widths is the most significant challenge)
- Other potential options provided by SWATF Members:
 - Field verification of hydromodification modeling
 - Study on how to plan/implement LID on a watershed scale
 - Technical assistance with local legal review, planning, design, etc.
 - Creating model ordinances/standards
 - Studies regarding storm water capture and reuse
- Recommendation that some of this set-aside be pooled with funds (e.g., OPC, IRWM, Proposition 1E, etc.) from other grant programs to leverage available resources
- Proposal to set-aside up to 10%, and required that at least 3% be allotted for these high-priority studies
 - Could be directed or competitive- a competitive process would be okay, as long as the type of project desired is very clearly described
 - Could describe general categories/types of projects that are eligible, without necessarily spelling out who will conduct the project (i.e., semi-directed action)
 - Could also direct some portion of the funds, then allow for a certain portion to be approved through the State Water Board via a competitive process
 - Should be focused at projects with potential for statewide significance

5) Review, Discuss, and Provide Comments on Proposition 84 SWGP Straw Document

- Focus on capital improvement projects, except for the 10% set-aside under PRC Section 75072
- Need to better define LID
 - Should be broad to allow for innovative approaches, but focused specifically on storm water
 - It may be preferable to refer to “Alternative Stormwater Management Systems, including, for example, LID...” so that the document does not seem to focused on LID as a program preference
 - Or, instead of specifically calling for LID projects, just prioritize those projects that demonstrate cost effectiveness, sustainability, water quality improvements, etc. and LID project should rise to the top
 - Need to focus on something with the limited funds we have (i.e., LID) to achieve something meaningful
 - It appears that the current definition would exclude source control projects (i.e., erosion control)

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- Also need to better define:
 - High-priority catchment area (Also: Do we want to give priority to projects that treat a larger catchment area?)
 - Pre- and post-project hydrograph
- Items that should be considered minimum requirements:
 - Data management, Project Assessment and Evaluation Plan (PAEP)/monitoring
 - Basic education/outreach, with reporting requirements
- Other items that are potentially worth additional points:
 - Adding to overall knowledge base?
 - Being part of regional monitoring program? (But is it an unfair disadvantage to projects in areas lacking a regional monitoring program?)
 - Ties to land use plans?
 - Improving landscaping standards?
 - Groundwater recharge with integrated resource planning?
 - Climate change mitigation and adaptation?
 - Restoring stream function and/or habitat?
 - Projects in already developed areas/retrofitting?
- We should offer some sort of tool to assist in estimating the cost per unit of pollutant reduction, as this can be difficult to do, and the results will be more meaningful (for comparison purposes) if we set some sort of standard regarding how to do the calculations
- Note: Pending legislation regarding requirement that all funded projects be included in an IRWM Plan (Assembly Bill [AB] 1654)
- Since these types of projects are not prevalent in IRWMs, members would prefer minimal preference for relation to IRWM Plans (i.e., just one extra point, or use it as a criterion for tie-breaking, if necessary)
- Discussion of additional items that may need to be included in the criteria/scoring:
 - During the SWGP Scoping Meetings, most stakeholders preferred a 2-step proposal process- the proposed criteria are intended for the Full Proposal stage; therefore, would need to develop shorter list of criteria for the Concept Proposal
 - State Water Board funding programs usually include a preference for projects that benefit disadvantaged communities (i.e., extra points, or lower match requirements, or both)
 - May also want to consider giving points for local match (i.e., set a minimum match requirement (i.e., 25%), then, for those projects that exceed the minimum requirement, allot points on a sliding scale based on the match percentage

6) Update on Storm Water Regulatory Program (presented by Mr. Bruce Fujimoto, State Water Board, Division of Water Quality)

- Storm Water Regulatory Program staffs are reviewing the CASQA and United States Environmental Protection Agency documents regarding project assessment and evaluating how project assessment can be incorporated into the State Water Board's Regulatory Program
 - Changes need to be in place by July of 2009
 - This will be discussed in more detail at the next meeting

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- Need to get an agenda item before OPC, by January 2009, to show how we are adopting their goals (i.e., resolutions regarding LID, marine debris, etc.)
- The Water Boards' Strategic Plan Update, which includes a small piece regarding permit consistency, is to be considered at July 1, 2008, Board Meeting
- DWR's State Water Plan is under development, and will include an Urban Runoff Management Section

7) Discussion about how to ensure that the SWATF input is considered in the implementation of other funding programs (i.e., housing, transportation, etc.)

- State Water Board interaction with DWR, regarding storm water funding in Proposition 84/1E, is required
- The State Water Board can provide guidance directly from the SWATF to DWR
- Recommend a percentage set-aside, of Proposition 1E funds, for LID-type projects that have flood control benefits (as well as others, such as water conservation)
- Also recommend a set-aside of IRWM funds for water quality-related projects

ACTION ITEMS

- Look into whether a directed action (from the 10% set-aside, per PRC Section 75072) would have to be directed to a Local Public Agency (i.e., city, county, or district)
- Work through the potential priorities discussed for the 10% set-aside, and recommend how best to present them in the SWGP Guidelines
- Draft a list of the types of projects to be encouraged (for the preamble of the Straw Document), and propose any additional language to include per OPC's LID resolution and/or AB 739 (Statutes 2007, Chapter 610)
- Workout any remaining question marks for the Straw Document and proceed with preparing the Working Draft SWGP Guidelines
- Draft letter to DWR, on behalf of the SWATF, regarding suggested funding criteria for their Proposition 1E and IRWM Programs

NEXT SWATF MEETING

- Next meeting scheduled for Monday, September 15, 2008, from 10 AM to 3 PM, at the Cal/EPA Building in Sacramento
- Topics that may be considered include:
 - Follow-up on Letter to DWR
 - Review Working Draft SWGP Guidelines
 - Work on Assessment Document