

STORM WATER ADVISORY TASK FORCE (SWATF)

MEETING MINUTES - SEPTEMBER 15, 2008

(Approved at December 9, 2008, SWATF Meeting.)

ATTENDEES

SWATF Members: Ms. Tracie Billington (for Mr. Mark Cowin) - Department of Water Resources (DWR); Mr. Drew Bohan – California Ocean Protection Council (OPC); Mr. Geoff Brosseau - California Stormwater Quality Association (CASQA); Mr. Kevin Buchan - Western States Petroleum Association; Mr. Tom Dalziel - Contra Costa County; Mr. Noah Garrison (for Mr. David Beckman) - Natural Resources Defense Council; 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; Mr. Jon Van Rhyn - County of San Diego; and Mr. Al Wanger - California Coastal Commission.

Absent SWATF Members: Ms. Mary Lee Knecht - Sacramento River Watershed Program; and Ms. Linda Sheehan - California Coastkeeper Alliance.

State Water Resources Control Board (State Water Board): Ms. Meghan Brown, Ms. Bridget Chase, Ms. Shahla Farahnak, Mr. Bruce Fujimoto, Mr. James Herink, Ms. Annalisa Kihara, Ms. Leslie Laudon, Mr. Andrew Lawrence, Mr. Gil Martinez, Mr. James Maughan, Ms. Erin Ragazzi, Ms. Julé Rizzardo, Ms. Christine Sotelo, and Ms. Laurel Warddrip.

Members of the Public: Mr. Mark Martin - Little Hoover Commission; Mr. Lewis Moeller - DWR; and Mr. Mack Walker – Larry Walker Associates.

Facilitator: Mr. Jeff Loux

ITEMS DISCUSSED

- 1) Review minutes from June 16, 2008, SWATF Meeting
 - Recommended Revision: Attach Draft Proposition 84 Storm Water Grant Program (SWGPP) Straw Document for reference
 - Approved June 16, 2008, Meeting Minutes, based on inclusion of the above recommended revision
- 2) Update on DWR Programs (presented by Ms. Tracie Billington, DWR)
 - [California River Parkways and Urban Stream Restoration Grant Programs](#)
 - Administered by DWR and the California Resources Agency
 - Approximately \$40 million available
 - Applications due by November 12, 2008
 - Status of Proposition 1E Storm Water-Flood Management and Proposition 84 Integrated Regional Water Management (IRWM) Grant Programs
 - Public Resources Code (PRC), Section 75026(a):
 - Projects must be consistent with an IRWM Plan (i.e., projects identified in the IRWM Plan)

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- For the longer-term IRWM vision, DWR will support planning grants for assistance with updating IRWM Plans (SWATF members felt this might be a good opportunity for inclusion of Low Impact Development [LID] projects, which may currently be underrepresented)
- DWR has tried to avoid setting aside money for specific types of projects, so that the IRWM planning areas have more flexibility to decide on the appropriate project priorities in their area
- Some SWATF members feel that the selection process is too political, and project selection should be focused on selecting the projects that will result in the greatest improvement to water quality, water supply, etc.
- DWR will be developing criteria for regional project prioritization, as part of their Guidelines. As long as the IRWM Plan documents that the established criteria are used as the basis for project prioritization, the region will have discretion regarding the prioritization of projects within their IRWM planning area.
- Senate Bill (SB) X2 1 (also known as, SB 1XX):
 - Appropriates \$181 million of the \$1 billion in Proposition 84 IRWM grant funds to DWR
 - Appropriates \$150 million of the \$300 million in Proposition 1E Storm Water-Flood Management grant funds to DWR
 - Proposes Proposition 1E funds allocated as follows:
 - \$100,000,000 for seismic safety issues;
 - \$20,000,000 for the water quality needs related to combined storm/sewer systems;
 - \$20,000,000 for urban stream storm water flood management projects to reduce the frequency and impacts of flooding in watersheds that drain to San Francisco Bay
 - LID-type projects may be eligible through the \$20 million set-aside for urban stream storm water flood management projects or the remaining \$10 million*** of the \$150 million appropriated (which may be used for administration/bond costs and/or projects)

** Update since September 15, 2008, SWATF Meeting:

SBX2 1 /SB 1XX (Perata, Chapter 1, 2008) was signed by the Governor September 30, 2008.

*** Update since September 15, 2008 SWATF Meeting:

Of the remaining \$10 million, \$5.5 million will be for general storm water projects, and \$4.5 million will be for program delivery.

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- 3) Follow-up on Letter to DWR Regarding Suggested Funding Criteria for Proposition 1E Storm Water-Flood Management and Proposition 84 IRWM Programs (SWATF member discussion)
 - SWATF members feel the State needs to have a vision regarding how the huge pot of IRWM money is going to be spent; should not be left to the regions, as priorities are often determined based on politics rather than true needs
 - In the interest of time, should move forward with this general letter to DWR
 - Then, may follow up with a more specific letter about how to frame the project prioritization criteria in the Guidelines to help encourage selection of LID projects
 - Letter not quite ready; SWATF members need to clear the letters through their organizations

- 4) Review, Discuss, and Provide Comments on Working Draft SWGP Guidelines (SWATF member discussion)
 - An absent SWATF member sent comments (via email) stating that to make more of an impact with limited funds, we need a more specific vision
 - Most agree that projects required for permit compliance should not be a priority, and that making all the project types suggested in Assembly Bill (AB) 739 (Statutes 2007, Chapter 610) eligible leaves the program too broad; need to move forward with a theme (i.e., LID as THE threshold criteria, then extra points for meeting multiple objectives)
 - Do we need to broaden the threshold criteria for valuable non-LID projects (i.e., projects helping to address a Total Maximum Daily Load (TMDL) where LID is not applicable)?
 - Projects or studies addressing such constituents could be funded under PRC Section 75072, to see how LID can be applied in the future
 - Proposal for a maximum amount (i.e., up to \$10 million total for Rounds 1 and 2) of the implementation funds to be applied to projects that address TMDL issues
 - Need to specifically describe (or at least prioritize) what types of projects can be funded with that 'set-aside' to make sure that the intended projects come through during the proposal scoring/funding selection process
 - After some discussion, SWATF members agreed; Working Draft SWGP Guidelines will be updated to allow up to \$10 million for TMDL projects
 - Note: the State Water Board may also want to focus on treating and recycling storm water discharges (one of the project types identified in AB 739), a key objective in the Water Boards' *Strategic Plan Update 2008-2012* (adopted September 2, 2008)

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- This can be addressed through careful definition of the term 'LID' in the SWGP Guidelines (i.e., do we want large cistern-type project to fit into our definition of LID?)
 - What is the level of review that the SWATF members want to have on proposals?
 - Vet concept proposal recommendations (and allow SWATF members to make recommendations for improvements), then final funding recommendations (if necessary, re-evaluate the \$10 million max for TMDL projects)
 - SWATF members could be involved in the funding decision (i.e., ranking of those proposals that scored above the minimum 70 points)- but a description of the specific factors (beyond just score) that the SWATF members would use to make those funding recommendations would need to be added to the Guidelines
 - If appropriate, SWATF members would also be involved in amendments to the SWGP Guidelines between Rounds 1 and 2
- 5) Description of Surface Water Ambient Monitoring Program (SWAMP) Status and Needs (presented by Ms. Val Connors, State Water Board, Office of Information Management and Analysis)
- State Water Board staff are working with stakeholders to determine what type of data to track, how to make sure all data are compatible/comparable/consistent, and to provide assistance with developing quality assurance programs
 - Regional SWAMP data centers directly assist grantees and permittees with data submission
 - Asking for assistance with SWAMP funding, to keep programs running for the next 3 years, while sustainable financing (e.g., having the grantee/permittee pay a 'service fee' to upload data into SWAMP) is setup
 - During next 3 years, estimates of the resources required to support grant data accessibility efforts will be developed, so that appropriate resources can be included in future bond language or incorporated into grant funding, etc.
 - The data centers need approximately \$1 million per year, plus an additional \$1 million for setup of the new wetland delineation program, leading to a total request of \$4 million
 - As a rough estimate, it looks like approximately one-third of the projects using SWAMP are storm water-related
 - The Agricultural Water Quality, Clean Beaches Initiative, and Areas of Special Biological Significance (ASBS) Grant Programs may also contribute money
 - Could potentially award a portion of the request, for the portion of SWAMP costs that have a direct nexus with storm water issues; but SWATF members would like to know more before making a decision

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- 6) Update on Storm Water Regulatory Program (presented by Mr. Bruce Fujimoto, State Water Board, Division of Water Quality)
- The SWATF is mentioned on page 13 of the *Strategic Plan Update 2008-2012*: intent is to have the SWATF provide input in an evaluation of the impediments associated with implementation of LID and other sustainable development techniques
 - Selected five members to participate in a SWATF sub-committee, which will work mostly via email, to assist with preparation of a comprehensive State Water Board guidance document for evaluating and measuring the effectiveness (i.e., reductions in pollutant loads and improvements to water quality) of municipal storm water management programs

ACTION ITEMS

- State Water Board staff to send SWATF members an updated version of the draft letter to DWR (with comments from the meeting incorporated), and allow one week for comments from SWATF members. The letter will be revised per any comments received and sent out for one final review
- State Water Board staff will provide the following backup information for the SWAMP funding request: 1) SWAMP business plan; 2) concept paper about SWAMP data centers; 3) breakdown of current funding sources; 4) what the \$4 million funding request would be used for, focusing on the nexus to storm water; and 5) a brief explanation of how the SWAMP data are used
- Assessment document subgroup will begin assisting with the preparation of a comprehensive State Water Board guidance document for municipal storm water program evaluation and effectiveness measurement
- To be provided by SWATF members within the next two weeks (so that staff can incorporate into the Working Draft SWGP Guidelines, and re-circulate prior to conference call on October 23, 2008):
 - Definition of LID
 - Descriptions of projects/studies, to add to suggested PRC Section 75072 proposal types:
 - Nitrogen/phosphorous study/project
 - Mercury or polychlorinated biphenyl (PCB) study/project
 - Groundwater recharge study/project
 - Developing storm water program effectiveness assessment tools

NEXT SWATF MEETING

- Teleconference to discuss the updated Working Draft of the SWGP Guidelines- Thursday, October 23, 2008, 3:00 – 5:00 PM
- Meeting at Cal/EPA Building, Tuesday, December 9, 2008, 10:00 AM – 3:00 PM