

Bay Area IRWMP Coordinating Committee

June 23, 2008
1:00 to 3:00 p.m.

Elihu Harris State Office Building, Room 12, 1515 Clay Street, Oakland, CA

Agenda

1. Roll Call of Appointed Functional Area Representatives
2. Review Agreements/Action Items from 5/19/08 Meeting
3. Major Items
 - a. Meeting with DWR.
 - b. IRWM Plan update
 - Process for Plan update.
 - Review lists of IRWM Plan update work items.
 - c. Role of Planning and Process Subcommittee
4. Updates
 - a. Website committee
 - b. 4-Party Agreement and consultant contract status
 - c. Outreach to Tomales Bay and Coastside
5. Announcements
 - a. EPA Watershed Funding Opportunities
6. Review action items.
7. Agenda and details for next IRWMP CC meeting

Bay Area IRWMP Coordinating Committee

Agreements and Action Items from May 19, 2008 Meeting

1. Roll Call of Appointed Functional Area Representatives

WS-WQ	WW-RW	FP-SW	Watershed	Other
Bill Keene, SCWA Molly Petrick, SFPUC; Andrea Flores, CCWD		Mark Boucher, CCCFC	Melanie Denninger, SCC; Harry Seraydarian, NBWA; Jennifer Krebs, SFEP	Chair: Paul Helliker, MMWD
Brian Campbell, EBMUD; Thomasin Grim, MMWD; Tracy Hemmeter, SCVWD	Brian Campbell, EBMUD; Renee Webber, North Bay Water Reuse Authority & SCWA	Terri Fashing, Marin Co Flood & Marin Co Stormwater;	Dale Hopkins, RWQCB; A.L. Riley, RWQCB; Peter Vorster, The Bay Institute	Carl Morrison, Morrison & Assoc.; Elizabeth Patterson; Juliet Lamont, Env. Consultant/Sierra Club; Paul Curfman

The Chair asked FA representatives to identify themselves and discussion ensued as to whether an “official” list of designated FA representatives and guidelines for voting existed.

- Voting procedures and clarification of “rules of the road” will be discussed at the next CC meeting.
- Paul, Nadine, Carl and Thomasin will create a proposed set of rules and procedures and will distribute to the functional area groups for review prior to the next CC meeting.

The question was raised as to whether the CC should assist the watershed functional area in formalizing their meeting structure; it was determined that before doing so, the CC should decide whether the functional area approach will be carried forward as a structural component for the CC and IRWMP update process.

2. Review Agreements/Action Items from 4/21/08 Meeting

3. Major Items

a. Review of May 13 DWR Prop 84 Workshop

Several CC members attended the workshop and reported their reactions. There was agreement that a significant new concept presented by DWR is the proposed requirement that under the Prop 84 guidelines, regions will be required to engage in a “Region Acceptance Process,” guidelines for which DWR has not yet established.

Discussion included many aspects of what the “Region Acceptance Process” could include or mean for the Bay Area Region. A common theme was that there was much that had not yet been clearly communicated to DWR, and that doing so would be key to successfully navigating this acceptance process. It was noted that we should articulate more clearly (than is done so in the IRWMP) examples of integrated regional planning that are already occurring, and will continue to occur, independent of the IRWMP or the CC. It was also noted that we should define and produce a clear, detailed written

description of the current Bay Area IRWMP governance structure and decision process, and present it to DWR, along with compelling discussion as to why this is the most workable approach for this region.

There was also discussion and speculation about differences between DWR's goals for IRWMP planning versus and what it has been and will be, from the perspective of the CC and Bay Area IRWMP participants.

Discussion agreements trended towards approaching the "Regional Acceptance Process" by making a clear presentation of practical realities and the approach we have been taking to IRWMP planning, rather than engaging in efforts to "remake" ourselves into something different.

It was agreed that clarifying our region description is a first step. Weaknesses in the current description that need to be dealt with include: 1) Contra Costa and Solano Counties are in two funding areas and 2) overlapping IRWMP efforts, such as Tomales, and Coastside.

b. Providing comments from CC on proposed Prop 84 guidelines.

Carl Morrison reported that the comment letter is a work in progress at this time, and noted that these CC comments will be composed of agreed upon items, while individual agencies will likely submit separate comment letters conveying other positions.

- Anyone wishing to add a comment for inclusion in this letter should send it to Carl via email.
- Juliet will send comment text that recommends DWR include language addressing climate change adaptation and mitigation.
- Carl will update the draft comments based upon feedback he receives, and send to Paul and Thomasin by COB May 30.
- Paul and Thomasin will put the comments into letter form and distribute to the whole CC by June 3. After incorporating any feedback received from the CC, the final letter will be sent to DWR on June 5.

c. IRWMP Plan Update

- **Process for Plan update**
- **Meeting with DWR**

Paul has requested a meeting with Tracie Billington, but she has not replied.

- Paul will continue to work on setting up this meeting.

d. Grant Proposals and Funding Allocations

There was discussion on the BAWAC draft proposal for future funding allocations. It was noted that DWR would likely view this approach as being antithetical to their goals. A more sympathetic methodology would present targets for results generated from projects implemented rather than goals for allocating amounts of grant dollars.

4. Updates

a. Website committee

No discussion.

b. Planning and process subcommittee

No discussion.

c. 4-Party Agreement and consultant selection status

No discussion.

d. Outreach to Tomales Bay and Coastside

Paul said that he was planning to attend a Tomales Bay Watershed Council Executive Committee meeting later in the week.

5. Announcements

No announcements.

6. Agenda and details for next IRWMP CC meeting

Next CC meeting will be held June 23, 2008, from 1-3 p.m.

CC meetings will be held regularly on fourth Monday afternoons, from 1-3 p.m. (July 28, August 25, September 22, etc.)

Agenda items for June 23 meeting include:

Clarifying “rules of the road” for CC voting procedures

Meeting with DWR

Discuss/develop process for Plan update – shall we go back to the 4 FA approach or update the Plan as a whole?

Create a prioritized list of items to be worked on as part of the IRWM Plan update.

Future presentation by Phil Stevens.

**Bay Area IRWMP Coordinating Committee
Comments Regarding Proposition 84 Guidelines**

June 16, 2008

1. **Planning Grants.** Consideration should be given to developing planning grant guidelines that will encourage cooperation of regional planning efforts within a funding area. Simply awarding planning grants to any qualified regional planning effort may well result in a fracturing of integrated planning in a funding area instead of prompting cooperation among multiple planning efforts. In addition, the amount of a planning grant should be proportionate to the overall allocation to the funding area and, in the case of a subregion if such a grant is awarded, the size, population and geographic and institutional complexities of such subregion within the funding area.
2. **Complexity of Regions.** In funding areas where there are competing regional planning efforts, both planning and implementation grant guidelines should take into consideration the complexity of the region, meaning its geographical size, population, number of political entities and agencies, etc.
3. **Funding for disadvantage communities.** Bond funds specifically designated for disadvantaged communities in IRWMP regions should be awarded to the pertinent IRWM planning entity (or its contracting agency) to ensure that any DAC activity funded with such monies is coordinated with such IRWMP entity. The DWR guidelines should also require strict accountability standards to ensure that DAC designated funding is appropriately spent on DAC planning efforts and projects. DWR could provide project development technical assistance to DACs not in an IRWMP region so that they would be better prepared to participate in an IRWMP in the future. Planning grant funds for DAC purposes should be in addition to any cap placed on what a planning region may receive so as not to create a disincentive to include DACs in regional planning.
4. **Relation to local planning.** IRWMP guidelines should recognize that water resources management agencies have limited control over land-use decisions. The guidelines could suggest, however, that IRWMP entities coordinate directly with land-use agencies to integrate water resources management and a water element into their general plans.
5. **Use of implementation grant funds.** IRWMP guidelines should indicate that implementation grants should primarily be used to fund multiple-purpose projects that provide benefits to several water management elements.
6. **State deference to IRWMP project prioritization.** Proposition 84 bond language permits DWR to defer to the local region the development of project prioritization for funding. IRWMP guidelines should indicate that the DWR will, in fact, defer to the local project selection process as long as the projects meet the requirements for consistency with the purposes of the bond funds.

7. **Clarification on Prop 84 and Prop 1E funding.** DWR guidelines should make it clear that Prop 1E funding under IRWMP programs is in addition to the Prop 84 allocation to the funding area. Guidelines also should provide that applicants need not designate from which proposition funds are sought if both could apply. DWR should make that decision, such as it does with the consolidated grant program, so that proposals are evaluated on their merits and not on the applicant selecting the right program for the funding sources.
8. **Grant contracts.** IRWMP guidelines should spell out the provisions, especially those that to date have been found problematic with Prop 50 grant recipients, that Prop 84 grant recipients will be expected to accept in contracts with DWR. DWR also should recognize the significant difference in contracts with regions with many project proponents as opposed to single agencies with only one or several projects, and make revisions to contract language that reflects the differences. An example is the “joint liability” provision. DWR should be willing to enter into more than one contract per region, especially when there are several lead agencies and a variety of project types. Multiple project contracts may be appropriate in situations such as when all projects are being led by agencies that already share projects/programs, in the same subregion, or are of a similar project type.
9. **Climate Change.** Proposition 84 did not include specific language related to the need to plan for impacts on water resources due to climate change. However, various bills are being considered by the Legislature that would provide additional guidance to the Department in determining how best to integrate efforts to plan for and mitigate the impacts of climate change into statewide, regional and local water resources management planning. These bills also attempt to augment the requirements being developed by the Air Resources Board to reduce greenhouse gas emissions, some of which may affect water resources management agencies.

Water resources in California are likely to be significantly affected by climate change, whether it be in the form of increasing sea level elevation; greater intensity of precipitation events; flooding of streams, rivers and bays; deeper and longer droughts and a myriad other effects. In preparing to implement the legislative guidelines related to climate change, we urge DWR to place much greater emphasis on the steps that a region is taking to identify impacts of climate change on water resources and to mitigate those impacts, than on the steps that water resources management agencies are taking to reduce their greenhouse gas emissions. Such an approach would reflect the major consequences that climate change will have on water resources and on the Californians who rely on them, compared to the relatively minor impacts that water resources management agencies can have on greenhouse gas emissions in California and globally.

While early responses to AB 32 have focused on simply reducing greenhouse gas emissions, state agencies and organizations increasingly understand and target the importance of adaptation strategies and mitigation mechanisms (e.g. wetlands restoration for flood mitigation, riparian corridor restoration for water quality improvement, urban reforestation for local micro-climate mitigation, overall watershed and stormwater planning to alleviate flooding and pollution impacts) as critical elements to AB 32 goals, given that significant climate change impacts are already underway. Adaptation and mitigation are – and will

continue to be – key strategies for providing and restoring “natural buffers” that help our communities and natural resources survive the tremendous changes, constraints, and uncertainty that are implicit in climate change impacts (for further details, see such presentations and discussions as CA State Water Resources Board Item #5 report for 2/19/08 Board meeting; Local Government Commission workshop on CEQA and Climate Change, 3/20/08; U.S. EPA and CA Coastal Commission’s 2008 LID Stormwater Management workshop series, “Reigning in the Rain”).

The “Prop 84 Draft of Language” for Proposition 84 IRWM Plan Standards, presented to the public on May 13, 2008 (“Changes made to IRWM Plan Standards from P50 through the P84 Process”), includes language referring to climate change in several areas:

- Region Description (p. 2): “A description of major water related issues, including the effects of climate change...”
- Water Management Strategies (p. 4): “The effects of climate change on the IRWM management area must factor into the consideration of resources management strategies.”
- Project Review Process (p.6): “The IRWM [review process]...must include the following factors:...Contribution of the project in combating climate change (energy efficiency, reduction of greenhouse gas emissions, reduction of carbon footprint, or reduction in water demand) as opposed to alternative projects.”
- Impact and Benefit (p. 7): “The IRWM Plan must contain an initial, screening level discussion of potential impacts and benefits of plan implementation. This discussion must include, but is not limited to the following items:...Potential impacts and benefits to resources other than water such as air quality and energy.”
- Climate Change (p.10): “*Currently under review*”

We support DWR’s approach to including climate change-related considerations in these various sections of an Integrated Regional Water Management Plan. However, we urge DWR to change the focus of the consideration described in “Project Review Process” concerning climate change to emphasize the extent that the proposed project provides adaptation to and mitigation of climate change-related impacts on water resources, rather than the extent to which the project reduces greenhouse gas emissions.

Planning and Process Subcommittee

December 17, 2007 meeting, 10:00-12:00

14th Floor, 1515 Clay Street, Oakland, CA

Meeting Brief and Action Items (Excerpt)

By Paul Curfman /Mark Boucher 12/21/07

The following is a list of items that need to be worked on and some comments that were made during the discussion:

- i. Regional Clarification - Tomales Bay/Coastside/Napa – CC needs to continue to pursue this issue.
- ii. Tracking Proposition 84 guidelines
- iii. Defining Participation – cost sharing? Agreements? (LOMU)
- iv. Considering subregional approach
 - There were past governance structure proposals that included subregions and a steering committee.
 - This structure is similar to other IRWMP regions.
 - Regional balance in terms of funding – there needs to be a way to ensure the funding spread is balanced throughout the region.
- v. Schedule for next milestones (Tracy Hemmeter is working on this for the January 7 CC meeting)
 - This time line will help us focus on what we need to work on as a subcommittee.
- vi. Prioritization – The Project Selection Committee started something. We should continue with their work and not disband the committee.
- vii. Integration – need to continue to build integration into the project definition and selection/prioritization process.
- viii. Measureable Priorities/Objectives (performance metrics)
 - The current objectives in the Plan are more “Mom and Apple Pie” / “generic”.
 - If we break the region up into subregions we might get more focused objectives.
 - Bringing the entire Bay Area into one set of objectives may water them down.

UPDATE OF THE IRWM PLAN

- ix. REGIONAL CLARIFICATION – We need to clearly address DWR’s comments about our region’s boundaries.
- x. OBJECTIVES AND NEEDS, AND PERFORMANCE METRICS
 - Need better performance metrics with measurable objectives, and needs and requirements of each of the member agencies
 - Need to understand the requirements of each member agency
 - Choose and prioritize projects based on needs and objectives
 - Consider and/or integrate sub regional interests
 - Foster integrative projects

San Francisco Bay Area IRWMP Update Milestones and Issues
(Prepared by Tracy Hemmeter)

Milestones

Bay Area IRWMP Milestone	DWR Milestone	Date
<ul style="list-style-type: none"> • Agreement to Update Plan • Identify funding mechanism 		January 2008
Prepare/Issue RFP		February 2008
Review Consultant Proposals	Draft Guidelines, Standards, and Planning PSP	March 2008
Hire Consultant to Update IRWMP		April 2008
Comment on Draft Guidelines		May 2008
	Finalize Guidelines and Planning PSP; Finalize Implementation Grant Process	July 2008
Submit Planning Grant Application ???		September 2008
Finalize IRWMP	Implementation PSP	December 2008 - ???
Adopt IRWMP/Submit Step 1 Implementation Grant Application		January 2009 - ???

Coordinating Committee Issues

General

- Will the Bay Area update the IRWMP?
- How will the Plan update be funded?
- Who will contract with the IRWMP update consultant?
- Who will prepare the RFP? Who will review proposals?

Regional Water Management Group/Governance

- Should the Coordinating Committee break into two groups – one technical and one policy?
- Who has decision making authority?
- What is the definition of a participant and what do they need to bring to the table?
- Are there different levels of participants?
- What are the roles and responsibilities of different participants?
- Is a formal MOU necessary?
- How will the CC oversee IRWMP implementation? What is their oversight responsibility with or without infusion of State funding?

Regional Description

- Resolve overlapping regional boundaries/split counties – Napa, Solano, Contra Costa
- Who is and isn't participating? Does everyone concur with being/not being included?

Objectives

- Objectives need to be top-down, based on goals of IRWMP
- Specific and measurable objectives
- Identify the direction of the effort, and aim, or an end of action – what is Region trying to achieve?

Integration

- Move away from functional areas?

Regional Priorities

- Project Selection – Sub-regional or by functional area?
- When are projects added to the plan?
- Is the process developed by the PNP committee approved?
- Select projects based on what is in the best interest for the region rather than by participants

Implementation

- What requires re-adoption and what is ongoing implementation?
- Who will oversee implementation? What is the long-term institutional structure to ensure implementation of the IRWMP?
- What is the process for monitoring performance of the IRWMP and updating the IRWMP as necessary?

Technical Analysis and Plan Performance

- How does data derived from the individual project feed back into the IRWMP planning cycle and possibly alter implementation of the remaining projects?

Financing

- Long term financing for IRWM administration and implementation is not addressed in specific terms
- The IRWMP does not identify the funding sources for ongoing support, operations, and maintenance of projects.

Other

- How will the IRWMP address climate change?
- What are interests in/how will the IRWMP address Regional Flood Management?
- What are interests in/how will the IRWMP integrate land use and water management?

Planning and Process Subcommittee

June 2, 2008
Conference Call

Notes

WS-WQ	WW-RW	FP-SW	Watershed	Other/Multiple
Present				
Thomasin Grim		Mark Boucher Brian Mendenhall	Jennifer Krebs	Carl Morrison
Absent				
Pat Costello Tracy Hemmeter Molly Petrick Bill Keene	Paula Kehoe Cheryl Muñoz Brian Campbell	Rick Thomasser Carol Mahoney	Nadine Hitchcock Melanie Denninger Harry Seraydarian Paul Curfman Dale Hopkins	Jennifer Clary

The purpose of this call was to determine next steps for the subcommittee. We began by summarizing the work produced by this group to date, including:

- 1) establishing a process for adding projects and participants to the IRWMP
- 2) conducting an IRWMP project status survey
- 3) analysis and proposed approach to updating the IRWMP Goals and Objectives
- 4) listing additional efforts that could be undertaken by the PnP Subcommittee

We also noted that the CC has in the past recognized the PnP Subcommittee as a working group to deal with issues that need more work than can be accomplished at a CC meeting. However, the PnP has not received clear direction from the CC regarding how to direct effort in the near term.

- We agreed to request direction from the CC, as follows:

Does the CC wish the PnP to continue as “working group” for the CC?
If so, what shall we do?

- Proceed with the Goals/Objectives work we began
- Preparation for Regional Acceptance process meetings with DWR
- Creating a pro/con sheet on continuing the FA approach to the IRWMP
- Creating a pro/con sheet on a sub-regional approach to the IRWMP
- Maintaining current list of milestones and target dates for Prop 84 activities
- Address DWR’s February, 2007 comments on the Bay Area IRWMP
- Other work tasks as directed by CC

EPA Watershed Funding Opportunities

West Coast Estuaries Initiative - CA Coast:

<http://www.epa.gov/region09/funding/west-coast-estuaries.html>

U.S. EPA seeks proposals under this announcement for projects that conserve, restore and protect the water quality, habitat and environment of California coastal waters, estuaries, bays and near shore waters through comprehensive approaches to water quality management. The emphasis is on supporting implementation activities based on existing plans, such as Comprehensive Conservation Management Plans (Clean Water Act Section 320), State programs such as Integrated Regional Water Management Plans, and local watershed plans. Three to five grants or cooperative agreements will be awarded. The federal share of the awards will range from approximately \$250,000 to no more than \$1,000,000 each with project periods of three to five years. Proposals are due by August 25, 2008.

Contact: Ephraim D. Leon-Guerrero, leon-guerrero.ephraim@epa.gov, (415) 972-3444.

San Francisco Bay Area Water Quality Improvement Fund:

<http://www.epa.gov/region09/funding/sfbay-water.html>

U.S. EPA seeks proposals for projects that restore and protect the water quality, habitat and environment of the San Francisco Bay and its watersheds through comprehensive approaches to water quality management.

U.S. EPA is soliciting proposals for demonstration projects and studies of approaches that will focus on the effectiveness of an integrated approach for the following water quality priorities: Invasive species management; Reduction of trash in our waterways; Innovative wetlands restoration; Stormwater management including impacts to urban streams; Reductions of pollutants identified in draft or completed Total Maximum Daily Loads (TMDLs); and Climate change impacts on water quality. Emphasis should be on activities that demonstrate practical and efficient models that can be adapted to other places in the San Francisco Bay region and across the country. Emphasis should also be on supporting studies and demonstrations based on existing resource protection plans, such as the SFEP Comprehensive Conservation and Management Plan (CCMP) and local watershed plans. Proposals are due by August 25, 2008.

Contact: Luisa Valiela, valiela.luisa@epa.gov, (415) 972-3400.