

**MRP 3.0 C3/GI Work Group Meeting**  
**Thursday, February 6, 2020**  
**Meeting Summary**

**1. Introductions/Changes to the Agenda**

- Introductions were made. List of attendees is attached.
- There was one requested change to the agenda – Keith Lichten (Water Board staff) asked if he could update the Work Group on the MRP reissuance schedule under Item 3.

**2. Accept Previous Meeting Summary**

- The draft November 14<sup>th</sup> and December 5<sup>th</sup> meeting summaries were accepted as written. Approval of the January 29<sup>th</sup> internal meeting summary was postponed until the next meeting.

**3. Green Infrastructure (GI) Plan Review**

- Keith provided the following approximate MRP 3.0 reissuance schedule (reverse chronological order):
  - Effective date: July 1, 2021
  - Water Board considers Tentative Order: April 2021
  - Water Board workshop on Tentative Order: February 2021
  - Release of Tentative Order: December 2020 (with 45-day comment period)
  - Release of Administrative Draft Order: September 2020
  - Initial discussions of draft language: July-August 2020
  - MRP 3.0 workgroups continue to meet through mid- to late-summer 2020
- Zach Rokeach (Water Board staff) provided the following update on the GI Plan reviews:
  - About one third of the plans have been reviewed (selected from different counties).
  - A variety of funding mechanisms are being used and/or considered. Many permittees are relying on grant funding and are interested in alternative compliance programs. There were some commitments to GI implementation in municipal Capital Improvement Programs and lots of interest in long-term funding sources, such as via Prop 218 or SB 231 mechanisms.
  - Most plans used stormwater resource plans as the prioritization mechanism; one plan used GreenPlan-IT.
  - Some plans looked at school sites as opportunities while others made them low priority. The Work Group provided background information on the institutional and logistical barriers to siting GI projects at schools. This may improve in the future with the new Phase II permit coverage of school districts, State legislation and guidance for installing stormwater capture facilities on school sites, and the building of relationships with schools in permittees' jurisdictions.
  - For tracking and mapping GI installations, most plans reference the use of web-based tools at the county level. Keith mentioned that in the future, Water Board staff would like some of the screens and maps produced by the tools to be publicly accessible.
  - The development of impervious area targets was not consistent among the plans. Most plans based the private development projections on an UrbanSim type of approach, adjusted based on local knowledge. Many plans combined regulated and non-regulated projects for targets – in the future, Water Board staff will want to see separation between these for reporting purposes.
  - In general, no plans submitted seemed totally off the mark.

#### 4. Proposed C.3.j (GI) Provisions for MRP 3.0

- Keith provided a verbal update on Water Board staff's current thinking on the GI provisions:
  - Looking at a combination of programmatic indicators (collectively and individually) and implementation indicators (such as "greened acres" or impervious surface treated)
  - Programmatic indicators indicate how programs are being advanced over time, such as increasing capacity or funding resources, and would be reported to the Water Board in Years 2 and 4 of MRP 3.0.
  - Collective programmatic indicators
    - Alternative compliance program
      - Proposed that by Year 3 of MRP 3.0, permittees would have developed an organizational framework, process, methods for collection of funds, guidance for equivalence. Goal would be to have an alternative compliance framework available, not necessarily that permittees are implementing alternative compliance programs.
      - Amanda Booth (City of San Pablo) noted that the City's grant-funded alternative compliance study would be completed in approximately June 2022. She stressed the need for general, flexible language around alternative compliance, since the study will evaluate a wide range of options. Jill Bicknell (EOA/SCVURPPP) added that there may also be different approaches in different counties.
      - Keith concurred that the approach would be flexible and stressed that use of alternative compliance would not be a requirement, but rather a tool to help achieve GI and PCB load reduction goals.
    - Development of funding mechanisms
      - Recognize on-going work at the regional level to increase funding from transportation grants, how can municipalities develop more resources, how can individual agencies set the stage for revenue measures, etc.
    - Other collective mechanisms – tracking tools, outreach?
  - Permittee level programmatic indicators
    - Reporting on improvements to standard details and specifications, plan revisions, etc.
    - Local outreach efforts
    - Worker training (via programs such as NGICP, Rescape, etc.)
    - GI Plan updates relative to other efforts (e.g., aging infrastructure replacement, climate resiliency, urban forestry programs, etc.)
  - Other indicators? Dan Cloak (DCE/CCCWP) reminded everyone that there are other indicators of interest to municipalities listed in his memo and flow chart distributed a year ago, which was the basis of the draft language developed by the Work Group.
- For implementation indicators, Zach stated Water Board staff's intent to include impervious area targets for GI implementation, and said they are considering using what municipalities provided in their GI Plans.

- Keith added that they will not include a specific GI target for PCB load reduction but they want to know that waste load allocations can be achieved. They are looking at a greened acres requirement for the region, county, and/or permittee level over the 5-year MRP term. They realize there were different methods used to develop the impervious area targets and they want to talk to us about how the numbers were generated and how to relate them to an overall context (like amount of impervious area in the region.) The goal is to show progress over the permit term, but if there is commitment, they may allow more time.
- The Work Group had the following responses:
  - Amanda – Water Board staff need to realize how long it takes to get a project constructed; it may take more than 5 years. Recognize projects that are ready and funded vs. constructed.
  - Pam Boyle Rodriguez (Palo Alto) – we need a way to get credit for all of the work being done on the programmatic elements required prior to implementation.
  - Jim Scanlin (ACCWP) – It may be best to set an ultimate goal further out beyond the permit term. Keith – agreed it helps to establish a long-term arc.
  - Jim – for the short term, we should continue to take the “no missed opportunities” approach and continue to review CIP lists. Keith – agreed but wants to push efforts at a faster pace.
  - Dan – Thought we were decoupling GI and PCBs and moving toward a programmatic approach for C11/12. Thinks target for greened acres should be regional based on a rolling average and permittees’ compliance tied to programmatic indicators. We should also separate regulated project and non-regulated project targets.
  - Amanda – we could allow points for different programmatic indicators.
  - Jill – consider the option to implement one GI project during the permit term.
  - Matt Fabry (SMCWPPP) – consider establishing an equivalent compliance unit.
  - Terri Fashing (Oakland) – better to look at longer timeframes ( ≥10 years).
  - Keith – would like to have some context for the rough rate of change in impervious area treated over decades. Dan – could use the national database on impervious area (2011).

## **5. Topics for Future Work Group Meetings**

- No discussion due to lack of time.

## **6. Next Steps/Action Items**

- Water Board staff will put together an outline of concepts presented at today’s meeting (or edit the draft Work Group GI language outline), for further discussion at the next meeting.
- Water Board staff will develop questions related to the impervious area retrofit targets developed for the GI Plans and have separate meetings with individual stormwater programs to better understand the numbers.

## **7. Next Meeting**

- Next MRP 3.0 C3/GI Work Group meeting will be held on March 5<sup>th</sup>, 10:00 a.m. to 2:00 p.m., at the EOA Conference Room in Oakland. The first half of the meeting will be spent discussing GI language and the second half discussing other key C.3 issues.

**List of Attendees – February 6, 2020 Meeting**

<b>Name</b>	<b>Affiliation</b>	<b>2/7/19</b>	<b>3/7/19</b>	<b>4/4/19</b>	<b>5/2/19</b>	<b>6/6/19 (int)</b>	<b>7/15/19 (int)</b>	<b>9/5/19</b>	<b>10/3/19</b>	<b>11/14/19</b>	<b>12/5/19</b>	<b>1/29/20 (int)</b>	<b>2/6/20</b>
Keith Lichten	Water Board	X	X	X	X			X	X	X			X
Dale Bowyer	Water Board	X	X	X				X	X	X	X		
Zach Rokeach	Water Board	X	X	X	X			X	X	X	X		X
Adele Ho	CCCWP	X	X										
Alvin Lei	Fairfield								X	X			
Amanda Booth	San Pablo						X	X	X	X	X	X	X
Chris McCann	Danville				X		X				X	X	X
Chris Sommers	EOA/SCVURPPP					X							
Courtney Riddle	CCCWP	X			X								
Dan Cloak	DCE/CCCWP	X	X	X	X	X	X	X	X	X	X	X	X
Derek Crutchfield	Vallejo	X	X	X		X							
Frank Kennedy	Concord/Moraga/ Pleasant Hill		X	X	X	X	X	X	X	X	X	X	X
Geoff Brosseau	BASMAA	X	X										X
James Paluck	Fairfield	X	X	X									
Jeff Sinclair	San Jose	X		X	X	X	X	X	X	X		X	X
Jennifer Harrington	Vallejo F&WD	X											
Jill Bicknell	EOA/SCVURPPP	X	X	X		X	X	X	X	X	X	X	X
Jim Scanlin	ACCWP		X	X			X	X	X	X		X	X
John Steere	CCCWP				X		X					X	X
Karin Graves	CCCWP					X		X	X				X
Kevin Cullen	Fairfield		X	X			X?	X	X		X		X
Kristen Hathaway	Oakland		X						X				
Liesbeth Magna	EOA/SCVURPPP				X		X		X	X			
Lisa Austin	Geosyntec					X							
Lisa Sabin	EOA/SCVURPPP					X							
Matt Fabry	SMCWPPP	X	X		X		X	X		X	X	X	X
Melissa Tigbao	Vallejo	X											
Pam Boyle Rodriguez	Palo Alto	X	X	X	X	X	X	X	X	X	X	X	X
Peter Schultze-Allen	EOA/SMCWPPP	X	X	X	X	X	X	X	X		X	X	X
Reid Bogert	SMCWPPP				X	X	X	X	X				
Rinta Perkins	City of Santa Clara					X	X	X	X		X	X	
Robert Newman	Vallejo					X				X	X	X	X
Sam Kumar	Vallejo				X								
Shannan Young	Dublin	X	X	X	X	X	X	X	X	X		X	X
Steve Carter	Paradigm						X						
Terri Fashing	Oakland	X	X	X		X		X	X	X	X	X	X
Joseph Martinez	Water Board										X		X
Tiffany Ngo	San Jose											X	X
Derek Beauduy	Water Board												X