

MRP 3.0 C3/GI Work Group Meeting
Thursday, March 7, 2019
Meeting Summary

1. Introductions/Changes to the Agenda

- Introductions were made. List of attendees is attached.

2. Accept Previous Meeting Summary

- The February 7, 2019 meeting summary was accepted, as written.

3. Work Group Topics and Schedule

- Work group agreed to add a “C.3 Implementation” bullet to the proposed topics for the April 4, 2019 meeting to step back and evaluate implementation of C.3 projects and green infrastructure generally to-date, identifying successes and challenges in the context of Municipal Regional Permit (MRP) 2.0 requirements and what could be tweaked for MRP 3.0 that would improve implementation. [Post-meeting note: this topic and other C.3 topics planned for April 4 were moved to May 2, due to the need for more time on April 4 for GI topics.]
- Examples: may be more important to ensure existing C.3 regulated projects get “good LID” implementation than focusing on smaller projects that would be captured with a lower threshold. Make sure there are good LID standards and project applicants are well-versed in hierarchy of approaches. These issues are crucial to good implementation and aren’t in the permit. Discussions should consider MRP 3.0 language in big picture context of quality projects/processes, what needs prescriptive requirements, and thresholds for applicability.
- Keith – Sounds like some issues may be addressed through programmatic or agency guidance, and some may need to be incorporated into MRP 3.0.

4. Discussion of Key Topics for MRP 3.0

- The key topics for this Work Group meeting were:
 - Implementation tracking and reporting
 - Indicators of a strong GI program
 - Goals, targets, and metrics
- Keith expressed interest in establishing backstops/minimum levels of implementation, recognizing they may need to be community-dependent. Not so much “everybody must have a plan,” but “each community must go ‘X’ far” in implementing plans.
- Dan: How do we make sure cities don’t just do the minimum? Recognize WB needs an enforceable requirement – but want a motivational mechanism for cities to augment any minimum set of requirements.
- Dan then explained his proposed “Conceptual Framework and Potential Indicators for GI Implementation” memo, recommending the group not get bogged down with discussion of what the right indicators are, but try to reach agreement on how to combine a minimum level of implementation with an indicator framework and see if WB is willing to consider such an approach. Categories of indicators include Programmatic, Implementation, and Outcomes.
- Keith: This approach makes sense, and it is likely that some cities have already done similar approaches, like Oakland getting to its Measure DD funding initiative for Lake

Merritt, and San Mateo County focusing on regional facilities with a new integrated agency. We all know “grey to green” is a slow process – how do we focus? What is the unifying theme? Waterbodies? Urban mobility? How can communities show more meaningful progress in shorter timeframes?

- Dale: So. Cal has beaches as their driver. What would drive GI in our locales? We recognize PCBs is not a great story line. We need indicators that relate to the drivers.
- Dan: Story will be different in every community – preservation of streams is a great story for some, but in others it doesn’t sell.
- Matt: Ancillary benefits of GI are what sell projects.
- Kristen: For Oakland, social equity and urban greening are huge, but need flexibility around implementation to not just focus on where PCBs are expected.
- Keith: This ties in to Provision C.3, pollutant trading, alternative compliance, recognizing the underlying backstop of achieving TMDL wasteload allocations.
- Frank: GI is good to do for many reasons, but as a City Engineer, focus is health and safety, maintain infrastructure, and then add new programs, but all beholden to “color of money” in terms of what funds can be spent on what programs.
- Jill: Can we talk in terms of greened acres as an overall all-encompassing indicator? It is easy to understand and measure, and we’re already tracking relevant data.
- Keith: Yes, and how do we use those indicators to support cities doing what they want to do?
- Matt: Where do things stand with WB GI Expectations Letter? Is it helpful to incorporate this type of discussion in that letter?
- Jill: We’ve heard WB say they are shifting more to a Maximum Extent Practicable (MEP) standard with less focus on PCBs and old industrial areas at expense of missing other opportunities. That’s how we are advising communities in SCVURPPP with regard to WB expectations and approaches to implementation.
- Dan: Does it make sense to consider greened acres as a percent of a communities’ infrastructure investment?
- Dale: We’re all comfortable with C.3 requirements because it’s primarily addressed through private funding of development. Do we make GI implementation to the MEP standard for any big infrastructure project? Is there a reasonable GI threshold for work in the public rights-of-way?
- Jill: Would need to scale a GI MEP expectation to various community types.
- Keith: Agreed, not expecting a lot in more rural communities that are already “green”.
- Dale: Have to find a balance. Need some drivers in the MRP to get local leverage.
- Adele: Where is Caltrans on all of this? They issued a Complete Streets Directive, can they go further for GI?
- Dale: Caltrans has statewide C.3 requirements similar to MRP.
- Jill: Volume managed as another potential indicator?
- Pam: Let’s make MRP 3.0 meet agencies’ existing trajectories – don’t make us change directions now, it’s too late. Percent impervious area changed over time may be best.
- Matt: How does existing 2040 goal for GI and load reductions carry over into 3.0? Does WB have flexibility to remove or amend?
- Keith: Permits are five-year terms, there are adopted TMDLs that have potential reopener clauses for enough reason. Always an issue open for discussion, but WB staff expects to retain the MRP 2.0 GI goal for GI in MRP 3.0.

- Terri: Believes most agencies are trying to do more than minimum, but we all need to finish Reasonable Assurance Analyses (RAA), GI Plans, etc. The alternative compliance movement is starting. Can we extend MRP 2.0 for a couple years? WB hasn't seen GI Plans yet, but we're discussing changes to requirements already. We all need time to implement and evaluate outcomes.
- Jill: Rather than delay MRP 3.0 issuance, alternative would be to allow time in 3.0 to report out on indicators that inform future options. Suggested including in MRP 3.0 an implementation status report after the 3rd or 4th year.
- Matt: In San Mateo County, the RAA results have helped drive conversations and policy discussions among agencies at the individual level, but if we want to work collaboratively at countywide level and implement where it makes most sense for multiple reasons, those conversations and agreements on how to share money and O&M burden, etc., will all take a long time. Permit needs to recognize and reflect that and incentivize having those discussion and creating those agreements.
- Keith: Expect WB members will want to see permit reissued on time for various reasons, including trash load reductions. Important to recognize where we are collectively in the process, and craft permit language to reflect that.
- Frank: Agree that collaborative agency processes will take years. Changing things like impact fees takes time and requires a lengthy public process.
- Pam: (Keep in mind, you can't use impact fees for maintenance.) Would like more time in next permit. As a county or a region – want a single metric or freedom to choose a different one – can't wait till much later to make these decisions
- Dan: Would help to get a "statement of no regrets" from WB for implementing now to maximize community benefits even if it doesn't result in PCBs reduction benefit.
- Keith: Would like people in the room to come back to the next meeting with ideas for community-based drivers, up to and including MEP and TMDL drivers.
- Dan: Expect agencies would need to see progress in all three categories of metrics from his proposed framework (Programmatic, Implementation, and Outcomes)
- Jill: Can WB come up with its own list of ideas for drivers/indicators?
- Keith: Yes
- Jill: OK, drivers and indicators will be the focus for next meeting.

5. Next Steps

- ACTION: Work group, including WB staff, to bring example drivers/indicators for discussion at next meeting.
- From proposed schedule, other potential topics include:
 - O&M requirements and asset management
 - Alternative compliance and pollutant trading
 - Green streets GI sizing requirements
 - (From above) C.3 implementation success and challenges
- Next meeting scheduled for April 4.

List of Attendees – March 7, 2019 Meeting

Name	Affiliation	2/7/19	3/7/19	4/4/19	5/2/19	6/6/19	
Keith Lichten	Water Board	X	X				
Dale Bowyer	Water Board	X	X				
Zach Rokeach	Water Board	X	X				
Matt Fabry	SMCWPPP	X	X				
Jill Bicknell	EOA/SCVURPPP	X	X				
Peter Schultze-Allen	EOA/SMCWPPP	X	X				
Courtney Riddle	CCCWP	X					
Adele Ho	CCCWP	X	X				
Jennifer Harrington	Vallejo F&WD	X					
Pam Boyle Rodriguez	Palo Alto	X	X				
Jeff Sinclair	San Jose	X					
Terri Fashing	Oakland	X	X				
Shannan Young	Dublin	X	X				
James Paluck	Fairfield	X	X				
Dan Cloak	DCE/CCCWP	X	X				
Derek Crutchfield	Vallejo	X	X				
Melissa Tigbao	Vallejo	X					
Geoff Brosseau	BASMAA	X	X				
Kristen Hathaway	Oakland		X				
Kevin Cullen	Fairfield		X				
Frank Kennedy	Concord/Moraga/ Pleasant Hill		X				
Jim Scanlin	ACCWP		X				