

NOTICE AND AGENDA

MANAGEMENT COMMITTEE for the MONTEREY STORMWATER EDUCATION ALLIANCE

DATE: March 24, 2021
TIME: 9:30 a.m.
LOCATION: Zoom Video Conference and Teleconference

THIS MEETING WILL BE HELD ELECTRONICALLY AND REMOTELY ONLY VIA ZOOM VIDEO CONFERENCING AND TELECONFERENCING

This meeting is compliant with Governor Newsom's Executive Order N-29-20 which allows for holding public meetings electronically only, without a physical location for public participation, accessible only telephonically or otherwise electronically (video conferencing) to all members of the public seeking to observe and address the local legislative body, in order to avoid public gatherings, and until further notice.

To Join the Zoom Webinar Meeting, click on this link: <https://us02web.zoom.us/j/86792358282?pwd=TC96QUZMdHhoaDNjNkxBanNFUJJQdz09> or copy and paste the link into your browser. If your computer does not have audio, you will also need to join the meeting via phone. To Participate Telephonically you can call the number below and enter the webinar ID number and password when prompted:

(669) 900-9128

Webinar ID: 867 9235 8282 Password: 878485

PUBLIC COMMENTS: If you are unable to participate via telephone or webinar, you may also submit your comments by e-mailing them to jeff@mylwater.org with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT – NON-AGENDA ITEM". Comments must be received by 12:00 p.m. on Tuesday, March 23, 2021. All submitted comments will be provided to the Committee and may be read into the record and will be compiled as part of the record.

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|--|--|---|--|--|-----------------------|-----------------|--------------------|
| Officers: | Chairperson: Michael Trapani, County of Monterey Vice-Chairperson: Leon Gomez, City of Sand City | | | | | | |
| Participating Entities: | <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">City of Carmel-by-the-Sea</td> <td style="width: 50%;">City of Del Rey Oaks</td> </tr> <tr> <td>City of Monterey</td> <td>City of Pacific Grove</td> </tr> <tr> <td>City of Seaside</td> <td>County of Monterey</td> </tr> </table> | City of Carmel-by-the-Sea | City of Del Rey Oaks | City of Monterey | City of Pacific Grove | City of Seaside | County of Monterey |
| City of Carmel-by-the-Sea | City of Del Rey Oaks | | | | | | |
| City of Monterey | City of Pacific Grove | | | | | | |
| City of Seaside | County of Monterey | | | | | | |
| Other Coordinating Entities: | <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Carmel Unified School District</td> <td style="width: 50%;">Pacific Grove Unified School District</td> </tr> <tr> <td>Monterey Peninsula Unified School District</td> <td>Pebble Beach Company</td> </tr> </table> | Carmel Unified School District | Pacific Grove Unified School District | Monterey Peninsula Unified School District | Pebble Beach Company | | |
| Carmel Unified School District | Pacific Grove Unified School District | | | | | | |
| Monterey Peninsula Unified School District | Pebble Beach Company | | | | | | |
| Ex-Officio Members: | <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Association of Monterey Bay Governments</td> <td style="width: 50%;">Monterey Bay National Marine Sanctuary</td> </tr> </table> | Association of Monterey Bay Governments | Monterey Bay National Marine Sanctuary | | | | |
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AGENDA ITEMS

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|------------------------------|-----|
| 1. Call to Order / Roll Call | n/a |
| 2. Public Comments | n/a |

CONSENT AGENDA

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| 3. Approve Management Committee Meeting Minutes for 2/24/21 | (Attach. 1) | 3 |
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INFORMATION AND DISCUSSION ITEMS

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| 4. Update on COVID-19 Situation | | n/a |
| 5. Monterey SEA Political Relevancy Workshop | (Attach. 2) | 6 |

ACTION ITEM

- | | | |
|---|-------------|----|
| 6. Action Item to Authorize Program Manager to Draft a Letter Stating Monterey SEA's Position Regarding AB377 | (Attach. 3) | 21 |
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ADMINISTRATIVE REPORTS

- | | | |
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| 7. Management Committee Member and Program Manager Reports | | n/a |
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SCHEDULE NEXT MEETING / ADJOURNMENT

- | | | |
|---|--|-----|
| 8. Schedule Next Meeting: The next Monterey SEA Meeting date is currently scheduled for Wednesday, April 28, at 9:30a.m. | | n/a |
| 9. Meeting Adjournment | | n/a |

Monterey Stormwater Education Alliance Management Committee

MEETING MINUTES For February 24, 2021

AGENDA ITEMS

1. Call to Order / Roll-Call

Chairperson Trapani (County of Monterey) called the meeting to order at 9:33a.m. and performed roll call.

Management Committee (MC) Members:

City of Carmel-by-the-Sea – Agnes
Martelet
City of Monterey-Tricia Wotan
City of Pacific Grove – Caleb Schneider
City of Sand City – Leon Gomez
City of Seaside, City of Del Rey Oaks –
Scott Ottmar
County of Monterey – Michael Trapani

Other:

Maris Sidenstecker – PE/PO Coordinator
Lisa Emanuelson – California Marine
Sanctuary Foundation
Rachel Fatoohi, Alyson Tom – County of
Santa Cruz
Jackie McCloud – City of Watsonville
Michael Grzan – City of Hollister
David LaCaro – City of Paso Robles
Avery Blackwell - Geosyntec
Heidi Niggemeyer – City of Salinas
Tanya Carothers – City of Morgan Hill
Max Rieser, Tom Harty – City of Monterey
Elizabeth Geisler, Sheldon Leiker - Dudek

MRSWMP Staff:

Program Manager – Jeff Condit

2. Public Comment

None.

CONSENT AGENDA

3. Approve Management Committee Meeting Minutes for 1/27/20

- **Action:** On a motion by Wotan (*City of Seaside*), seconded by Gomez (*City of Sand City*), Management Committee approved the Management Committee Meeting Minutes for 1/27/20.

- **Ayes:** Schneider, Gomez, Ottmar, Ottmar, Trapani, Wotan, Martelet
- **Noes:** None
- **Absent:** None

DISCUSSION ITEMS

4. Update on COVID-19 Situation

A brief discussion ensued regarding impacts the current COVID-19 situation has had on stormwater programs and local government in general.

5. Presentation from City of Paso Robles: PCR Alternative Compliance

David LaCaro of City of Paso Robles and Avery Blackwell of Geosyntec provided an overview of their Alternative Compliance program for the Post-Construction Requirements. The program attempts to serve as a win-win-win scenario for the City, Regulators, and Developers by doing the following:

- Increase City-wide watershed benefits
- Increase opportunities to cost-effectively build out urban areas
- Save the City ongoing administrative costs and time

They have currently identified four high priority projects out of a possible 27 projects that could be utilized toward Alternative Compliance.

Key takeaways from their program include:

- Cities have the ability to leverage developer funds to develop green infrastructure
- Focus on benefits rather than compliance
- Dust off the previous plans
- Quantify for competitive projects
- Limit City risk

6. Update on Sand City Prop 1 Grant: West End Stormwater Improvement Project

The City of Sand City was successful in its efforts to secure a Prop 1 Stormwater Grant to implement the West End Stormwater Improvement Project. Gomez shared highlights of the project which will retrofit an existing urban collector street to integrate LID features, address flooding and promote sustainable water management, while benefitting a Disadvantaged Community (DAC).

LID strategies to be implemented include:

- Bioretention facilities and curb extensions at intersections to capture runoff
- Horizontal infiltration chambers and trash capture devices
- Permeable pavement in parking and sidewalk areas and at intersections
- New storm drain infrastructure and routing
- Abandonment of existing storm drain lines

7. Update on Political Relevancy Workshop – March 24

Monterey SEA will host a Political Relevancy Workshop for members during our March 24 Management Committee meeting. The Workshop will review the political relevancy of the Monterey SEA program as a Case Study. The Workshop will then provide members with an opportunity to review the political relevancy of individual programs.

8. Update on Public Outreach and Public Education

- a. Update from Web Re-Design Sub-Committee

Condit and Sidenstecker are working with our web consultants to re-design the MontereySEA.org website with a new look in line with the new logo.

Sidenstecker shared that she is working with a group of students to develop TikTok videos with a focus on water quality issues.

9. Update on Trash Amendment

Condit shared that he is currently conducting Trash Assessments on behalf of jurisdictions utilizing the 2NForm Trash RAM platform. He will notify members prior to conducting the assessments (**Action Item – Condit**).

ADMINISTRATIVE REPORTS

10. Management Committee Member and Program Manager Reports

- a. **City of Monterey** – Wotan shared that the City is developing a full trash capture project in her downtown core.
- b. **City of Seaside** – Ottmar shared that the Campus Town development has submitted their first phase of planning documents, overcoming a legal challenge.
- c. **City of Carmel** – Martelet shared she has three projects that have triggered the PCR requirements.
- d. **City of Pacific Grove** – Schneider shared that the Stormwater Capture project at the golf course is moving forward with no issues.
- e. **County of Monterey** – Trapani shared that he is focused on an effort to map the County's storm drain system.
- f. **Program Manager** – Condit shared that CASQA is hosting a Town Hall meeting regarding the proposed bill, AB377. He will forward the information regarding the Town Hall to members.

ADJOURNMENT / SCHEDULE NEXT MEETING

11. Schedule Next Meeting

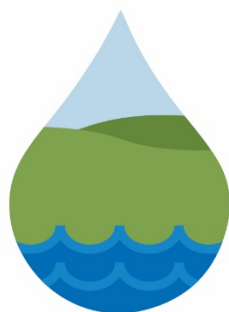
The next Management Committee meeting is scheduled for Wednesday, March 24, at 9:30am.

12. Meeting Adjournment

The meeting was adjourned at 11:29a.m.

Stormwater Program Political Relevance Questionnaire

Assessing Political Relevance for:



MONTEREY SEA

Stormwater Education Alliance

**Carmel-by-the-Sea • County of Monterey • Del Rey Oaks
Monterey • Pacific Grove • Sand City • Seaside**

The following set of questions is provided to effectively set a baseline for the political relevance of your Program. The questions should be read and answered as objectively and with as much detail as possible. The answers to these questions will be the basis of identifying actions that should be taken over the next 12-18 months to make your program more politically relevant.

A large, faint, light gray graphic in the background, resembling a stylized recycling symbol or a circular arrow, is centered behind the main text.

Is my Program fully funded and able to meet ALL needs?

Is my Program known across the community?

A large, faint, light gray graphic in the background, resembling a stylized recycling symbol or a cluster of overlapping geometric shapes.

Does my Program have a Logo? And is it recognizable across the community?

Am I or my Program regularly asked to weigh in or take a position on important issues within my organization? Or within my community?

Who are the key influencers in my community?

A large, faint, light gray recycling symbol (three chasing arrows forming a triangle) is centered in the background of the slide.

Do these key influencers know me or my Program?

Do I or my Program have
relationships with these key
Influencers?

Who are my Programs allies or supporters?

What Strategic Alliances or Formal Partnerships does my Program have?

Does my list of allies align with my list of Influencers?

Does my Program receive regular media coverage?

A large, faint, light gray recycling symbol is centered in the background of the slide.

What actions has my Program taken in the past 12 months to increase exposure?

Is my Program Politically Relevant Today?

Monterey Stormwater Education Alliance

To: Monterey SEA Management Committee
From: Jeff Condit, Program Manager
Date: March 24, 2021
Subject: Action Item to Authorize Program Manager to Draft a Letter Stating Monterey SEA's Position Regarding AB377

Background

A comprehensive bill regarding stormwater regulation was recently introduced by Assembly Member Robert Rivas (Hollister). The bill currently resides in the Committee on Environmental Safety and Toxic Materials. Monterey SEA has the opportunity to draft a letter stating its position regarding AB377.

Discussion

Bill Summary (as provided in AB377)

Under existing law, the State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality and prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system (NPDES) permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act. Existing law requires each regional board to formulate and adopt water quality control plans for all areas within the region, as provided.

This bill would require all California surface waters to be fishable, swimmable, and drinkable by January 1, 2050, as prescribed. The bill would prohibit the state board and regional boards from authorizing an NPDES discharge, or a waste discharge requirement or waiver of a waste discharge requirement for a discharge, to surface water that causes or contributes to an exceedance of an applicable water quality standard in receiving waters, or from authorizing a best management practice permit term to authorize a discharge to surface water that causes or contributes to an exceedance of an applicable water quality standard in receiving waters. The bill would prohibit, on or after January 1, 2030, a regional water quality control plan from including a schedule for implementation for achieving a water quality standard that was adopted as of January 1, 2021, and would prohibit a regional water quality control plan from including a schedule for implementation of a water quality standard that is adopted after January 1, 2021, unless specified conditions are met. The bill would prohibit an NPDES permit, waste discharge requirement, or waiver of a waste discharge requirement from being renewed, reissued, or modified to contain effluent limitations or conditions that are less stringent than those in the previous permit, requirement, or waiver, except as specified.

Existing law authorizes the imposition of civil penalties for violations of certain waste discharge requirements and requires that penalties imposed pursuant to these provisions be deposited into the Waste Discharge Permit Fund, to be expended by the state board, upon appropriation by the Legislature, for specified purposes related to water quality. For violations of certain other waste discharge requirements, including the violation of a waste discharge requirement effluent limitation, existing law imposes specified civil penalties, the proceeds of which are deposited into the continuously appropriated State Water Pollution Cleanup and Abatement Account, which is established in the State Water Quality Control Fund.

This bill would require, by January 1, 2030, the state board and regional boards to develop an Impaired Waterways Enforcement Program to enforce all remaining water quality standard violations that are causing or contributing to an exceedance of a water quality standard. To ensure any water segments impaired by ongoing pollutants are brought into attainment with water quality standards, the bill would require the state board and regional boards, by January 1, 2040, to evaluate the state's remaining impaired waters using a specified report. The bill would require, by January 1, 2040, the state board and regional boards to report to the Legislature a plan to bring the final impaired water segments into attainment by January 1, 2050. The bill would create the Waterway Attainment Account in the Waste Discharge Permit Fund and would make moneys in the Waterway Attainment Account available for the state board to expend, upon appropriation by the Legislature, to bring remaining impaired water segments into attainment in accordance with the plan. The bill would create in the Waterway Attainment Account the Waterway Attainment Penalty Subaccount, composed of penalties obtained pursuant to the Impaired Waterways Enforcement Program, and would make moneys in the subaccount available for the state board to expend, upon appropriation by the Legislature, for purposes of the program. The bill would require, by January 1, 2040, and subject to a future legislative act, 50% of the annual proceeds of the State Water Pollution Cleanup and Abatement Account to be annually transferred to the Waterway Attainment Account. The bill would require the state board, upon appropriation by the Legislature, to expend 5% of the annual proceeds of the State Water Pollution Cleanup and Abatement Account to fund a specified state board program.

CASQA's Analysis / Key Aspects of AB377ⁱ

- Prohibits the State and Regional Boards from adopting NPDES permits with compliance schedules or deemed compliance terms
- Requires end of pipe monitoring, comprehensive antidegradation analysis, and establishes a state law anti-backsliding provision
- Limits the amount of time that can be included in Schedules of Implementation in Water Quality Control Plans and limits use of time schedule orders (TSOs) to no longer than until 2030 (significant impact to TMDL compliance schedules, both existing and any TMDLs to be adopted)
- Requires development of an Impaired Waterways Enforcement Program to enforce all water quality standards violations

Template Letter

CASQA has developed a template letter regarding AB377. The template letter can be accessed here:

https://www.casqa.org/sites/default/files/library/comment-letters-testimonies/final_-_ab_377_oppose_-_assembly_member_quirk.pdf

Recommendation

Staff recommends that the Management Committee determine its position on AB377 and, in turn, determine if it wishes to pursue a letter to the Committee on Environmental Safety and Toxic Materials.

ⁱ California Stormwater Quality Association, *Fact Sheet and Status Update – AB377*