

Greater Monterey County Integrated Regional Water Management Plan
Regional Water Management Group Meeting
July 18, 2012
1:30 - 3:30 PM
Monterey Bay National Marine Sanctuary, Monterey, CA

RWMG Attendees:

Bridget Hoover
Rachel Saunders
Michael Ricker
Sierra Ryan
Rob Johnson
Ken Ekelund
Karen McBride
Horacio Amezcuita
Brian True
Monique Fountain
Dana Jacobson

Non-RWMG Attendees:

Susan Robinson – IRWM Plan Coordinator
Monica Reis – DWR
Laura Smith – The Nature Conservancy
Erin Gaines – California Rural Legal Assistance

Meeting Minutes:

1. Introductions

2. Draft Proposition 84/1E IRWM Program Guidelines and Round 2 Implementation and Stormwater

PSPs: DWR has released the draft revised 2012 IRWM Program Guidelines, as well as the draft Proposal Solicitation Packages for Round 2 Implementation and Stormwater/Flood Management grants (the draft documents can be downloaded at DWR's website: <http://www.water.ca.gov/irwm/>). Public comments are due August 24th. Susan provided an overview (with handouts) of significant changes from the previous Guidelines and issues of note in the Round 2 Implementation Grant PSP (she hasn't reviewed the Stormwater PSP yet).

Relevant changes in the 2012 draft Guidelines include:

- Three new “eligibility criteria”: 1) project proponents included in an IRWM grant application must adopt the IRWM Plan; 2) agricultural water suppliers must comply with SBx7-7 water conservation requirements; and 3) diverters of surface water must comply with surface water diversion reporting requirements.
- A new criterion has been added to the requirements for Project Review: Whether the project proponent has adopted or will adopt the IRWM Plan. In response to this new requirement, Susan revised the RWMG’s “Project Ranking Criteria” document to include consideration of whether a project proponent has adopted or will adopt the IRWM Plan. This would occur as part of “Project Ranking #3,” at the point where projects are selected from the Project List for inclusion in an IRWM application package. Susan sent the RWMG the revised “Project Ranking Criteria” document with her suggested changes; she asked them to review the document for next month’s RWMG meeting, when she will ask the RWMG to vote on approving the revisions.
- New requirements for the Climate Change chapter. Susan noted that we have a Climate Change TAC working on this.

- New guidelines on defining disadvantaged communities (DACs). Susan noted that the new guidelines provide more flexibility than previously. Karen McBride will contact DWR to discuss specific methodologies that our region can use to define DACs. Susan said she would like to get DWR's approval for these methods documented in our IRWM Plan.

Notable text from the Implementation Grant PSP include:

- We must have our IRWM Plan adopted prior to the final award date (estimated to be September 30, 2013). Susan said this should be no problem, seeing as we are currently on schedule to have the Plan adopted by December 2012 or January 2013.
- There will be \$7,569,000 in grant funds available for the entire Central Coast Funding Area in Round 2 for Implementation Grants, and \$20,319,044 remaining for Round 3. Some RWMG members wondered why DWR was holding so much money back for Round 3. Rob pointed out that this delayed funding is actually better for the Water Resource Project Coordination process, since the new integrated projects that are hoped to result from this process won't be ready for applying for grants until well after Round 2. Others pointed out that it is also better for DACs, since the DAC Outreach Plan is only now getting underway.
- There are significant changes to the Economic Analysis part of the requirements. Susan said the new requirements afford much more flexibility than the previous requirements, but the economic analysis requirements are still very complicated! She urged anyone who was interested in having their project submitted in Round 2 to review the draft PSP and familiarize themselves with these requirements.
- There are some minor changes in the scoring of applications, including a new category (up to 10 points) for "Technical Justifications of Projects."
- The new definitions for determining DACs, per the draft 2012 Guidelines, are included.

Susan said she thought that the new IRWM Program Guidelines and Round 2 Implementation Grant PSP reflect DWR's responsiveness to many of the IRWM Regions' concerns, and she didn't see any issues of concern. She asked if anyone else saw any potential problems or issues that we should bring to the attention of DWR in a public comment letter. No one did. The Group decided that there was no need to submit a public comment letter on behalf of the region.

3. Timeframe for Round 2 Implementation Grant: Susan reviewed the timeframe for the Round 2 Implementation Grant: the final PSP is expected to be released in October, and the grant application will be due in March 2013. In anticipation of Round 2, Susan discussed the upcoming IRWM Plan project solicitation, the project review process, and the timeframe/process for selecting Implementation projects for Round 2. The project solicitation will begin July 20, with project applications due August 31, 2012. Project review and ranking will occur between August 31 and October 17. Susan noted that all of the members of the previous Project Review Committee have agreed to review the new projects and rank them together with the previous batch of projects, in order to lend consistency to the project review process. Susan thanked them for their willingness to remain on the committee, recognizing the massive amount of effort these individuals have already put into the project review process. The RWMG will hopefully vote to accept the final ranked Project List at the October 17th RWMG meeting, and the RWMG will select projects for inclusion in the Round 2 IRWM Implementation Grant application package by the following RWMG meeting, November 21st. This will enable the project proponents to work on the grant application from December until its due date in March 2013.

Ken and Rob brought up an important issue regarding the need for documentation of landowner support for grant-funded activities *prior* to a project getting submitted for IRWM grant funding. Susan noted that the need for landowner consent is clearly written into the IRWM Plan project application form, and is a Guiding Principle in the Goals and Objectives. Ken agreed, but he noted that we do not have a "formal process" for securing the signed documentation. Susan said she saw no "substantive" conflict here – the RWMG long ago vowed that no project could ever receive IRWM grant funds for work on a property without the landowner's explicit consent – but she agreed that we need to develop a formal process for securing that documentation *prior to* submission for grant

funds. She will work with Ken and Rob on this. Brian suggested adding this to the Resolution to Adopt the IRWM Plan as an additional disclaimer.

Sierra raised the concern about projects that propose work, e.g., invasive species removal, in a general watershed area, where the exact property locations are not yet determined and would be determined as part of the project process. It would be impossible to secure written documentation of landowner support in such a case. Susan suggested we include in our “formal process” a signed form from the project proponent acknowledging that landowner consent must be obtained before any grant-funded work can ensue on any particular property.

4. Final Approval Process for IRWM Plan: Susan reviewed the protocol for adopting the final IRWM Plan, which will involve the governing board of each RWMG member organization signing its own resolution to adopt the Plan, and once all of the resolutions are collected, the RWMG as a single entity voting to formally adopt the IRWM Plan at a regularly scheduled RWMG meeting. This will include a resolution, which incorporates the individual resolutions (and signatures) by reference.

Prior to the RWMG meeting, Susan had sent the RWMG members a draft "Resolution to Adopt the Greater Monterey County IRWM Plan" for discussion at the meeting. She asked the RWMG members for input. She said she wasn't comfortable with the disclaimer paragraphs at the end, that disclaimers in general didn't seem suitable for a resolution. Michael agreed, pointing out that resolutions are typically intended to “do something,” not to “not do something...” Bridget asked if we needed the disclaimers in the resolution at all, since all of these disclaimers are essentially included in the MOU, which all of the entities have already signed. Brian responded that the MOU is a very different document, with the entities entering into an agreement to participate in the IRWM planning process, whereas the Resolution to Adopt the IRWM Plan has much different implications. Most seemed to agree that we should keep the disclaimers in there, and Rachel suggested that perhaps we put them into a “preamble” to the resolution. Everyone liked that idea.

An important question was raised: What happens if a RWMG member decides not to adopt the IRWM Plan? The Proposition 84/1E IRWM Program Guidelines clearly state:

Plan Adoption: The governing bodies of each agency that is part of the RWMG responsible for the development of the IRWM Plan and have responsibility for implementation of the Plan must adopt the Plan. At a minimum each project proponent named in an IRWM Grant application must also adopt the IRWM Plan. Project proponents are permitted to adopt the Plan after it has been adopted by the RWMG, until the submittal of an IRWM Grant application. Proof of adoption is a resolution with signatory blocks for each governing body adopting the Plan. [Draft Guidelines, Appendix C, p. 34]

This means that if any RWMG member does not adopt the IRWM Plan, the Plan will not get approved by DWR. Susan also reminded everyone that an entity must adopt the Plan in order to receive IRWM grant funds, so if a RWMG member does not adopt the Plan, it will not be eligible for grant funds. Several RWMG members remarked that “we can't let one member jeopardize the entire region's eligibility for IRWM funds by not signing the resolution.” The conclusion and consensus was that any RWMG member that decides not to adopt the IRWM Plan should relinquish their membership from the RWMG. Ken said we need to come up with a formal process for this, a “clarifying resolution” adopted by the RWMG and amending the MOU, that makes clear that any member that does not adopt the IRWM Plan must essentially leave the Group. Susan said she would review the MOU and draft some language.

5. Financing the Ongoing IRWM Planning Effort: Bridget led a brief discussion about continuing to finance the IRWM planning effort. We still don't know whether we've been awarded Round 2 Planning Grant funds to support the ongoing IRWM planning effort and continued development of the Plan; Monica says we should know by the end of the month. Whether or not we receive Round 2 Planning Grant funds, we will need some sort of ongoing plan for continuing to finance the IRWM planning effort, which of course will be at a slower pace than it

has been up to now (i.e., once the IRWM Plan is completed and approved). Bridget said we know that some organizations simply cannot afford to contribute funds towards this effort (and this is not a “pay to play” group), but for those who can, she would like them to consider some sort of regular contribution for the IRWM planning effort. Brian said he needs a “process,” some sort of framework to bring back to his board. Bridget said she would work with Rachel and with Dennis Long at the Monterey Bay Sanctuary Foundation to figure this out, and to create some sort of structure that will make clear “how entities can put money into the fund.”

Bridget reminded everyone about the Finance Committee and said, “We’re taking volunteers!” The Finance Committee now consists of: Bridget, Rob, Ken, Karen, and Rachel.

6. Other Business

Horacio asked if a project located on Struve Road in Moss Landing would be within our planning region. Susan said if it lies within the Pajaro River watershed, then it would be in the Pajaro region; if not, then it’s in our region. Sierra said she would check.

Sierra said that they are about to send out an RFP for work on the website. She asked if anyone knew of anyone who can do “really fancy websites.” Rob suggested a group who constructed “SacRiver.org”; he’ll look into it.

Horacio announced that San Jerardo just received approval for CAA funds, which means that DWR can now move ahead in determining San Jerardo’s scope of work for the Round 1 Implementation Grant funds. And since they will be getting the full amount they asked for from the State Water Resources Control Board, it also means there may be some additional money left over for the rest of the group from the Implementation Grant. They will be working with Monica on this.

Next month’s RWMG meeting is scheduled for August 15th from 1:30 – 3:30 PM, location TBD.