

**Greater Monterey County Integrated Regional Water Management Program
Regional Water Management Group Meeting**

**August 17, 2022
Zoom Conference Call**

RWMG Entity Attendees:

Ross Clark – Central Coast Wetlands Group
Beth Febus – Big Sur Land Trust
Jason Demers – Monterey County Water Resources Agency
Emily Gardner – Salinas Valley Basin Groundwater Sustainability Agency
Alex Henson – Monterey County Water Resources Agency
Bridget Hoover – Monterey Bay National Marine Sanctuary
Mike McCullough – Monterey One Water
Donna Meyers – Salinas Valley Basin Groundwater Sustainability Agency
Ileana Miranda – San Jerardo Cooperative, Inc.
John Olson – California State University Monterey Bay
Pam Krone – Monterey Bay National Marine Sanctuary
Paul Robins – Resource Conservation District of Monterey County

Non-RWMG Attendees:

Doug Dowden – Environmental Compliance Specialists, LLC
John Hunt – UC Davis
Jennifer Lape – Ecology Action
Sarah Lopez – Preservation Inc.
Emily Peck – Ecology Action
Susan Robinson – Greater Monterey County IRWM Program Director
Mark Silberstein – Elkhorn Slough Foundation

Meeting Minutes

1. Brief Introductions

2. Salinas River Habitat Conservation Plan (HCP): Jason Demers, Monterey County Water Resources Agency (MCWRA), described the Salinas River HCP and provided a status update.

The reason/need for the HCP was the construction and ongoing operations of the Salinas Valley Water Project (SVWP). The US Army Corps of Engineers construction permit for SVWP included a formal consultation with the National Marine Fisheries Service (NMFS). A Biological Opinion was issued in 2007, which included a flow prescription for steelhead; however, when the permit expired in 2017, it was determined that the permit did not cover long-term operations and could not be renewed. The HCP is needed to secure an incidental take permit. The completed HCP will include: A revised flow prescription for operations of Nacimiento and San Antonio Dams; a sandbar management plan that addresses the needs of steelhead, tidewater goby, and western snowy plover at the Salinas River Lagoon; and operation and maintenance of select MCWRA facilities.

The HCP was initiated in 2018. The first phase – Salinas Valley Long-Term Management Plan – was completed in 2019. The second phase – HCP – is currently underway. Assessment of the Gabilan/Tembladero watershed and Salinas River Lagoon surveys were completed in 2021. The third

phase will be CEQA/NEPA. MCWRA has received grant funds to conduct the HCP, including Prop 1 Round 1 IRWM funds to model the reoperation protocol, one of the larger components of the HCP.

Jason explained that the HCP process is iterative as studies are conducted and conversations with regulatory agencies ensue. It's not until the administrative draft that the various "building blocks" of the HCP process will form into chapters. The Final Public Draft will be statutorily complete. Jason discussed some "core questions," including activities that the plan should cover, what species the plan should cover, what kind of mitigation is needed, etc.

Jason provided a status update on the HCP, including which "building blocks" and administrative draft chapters have been completed. He anticipates the HCP will be completed within the next 2-3 years. Because of the drought, they are developing an alternative critical riffle analysis using drones to create models of critical river reaches; the pilot study they conducted in June downstream of Chualar showed promise!

Donna Meyers wondered whether MCWRA can get approval for interim operation of the dams during preparation of the HCP, and work with NMFS to *test* new ways of operating the dams. Jason said they are pursuing an interim operations plan (IOP) now. The IOP that will be proposed to the Reservoir Operations Advisory Committee in August will work within existing water rights and agreements with a goal of increasing migration opportunities for steelhead. Any operations outside of existing water rights and agreements would require additional analysis and permitting which will be conducted through the HCP process.

Ross Clark speculated on how to integrate management of the Old Salinas River, Tembladero and Gabilan Watershed with MCWRA's focus on the dams and lagoon. He invited input on opportunities moving forward to integrate the Rec Ditch and Gabilan Watershed into the HCP planning process – noting that several organizations in the region, including Central Coast Wetlands Group, are working on projects to decrease flooding, modify stormwater flows, etc. Jason responded that MCWRA conducted analysis of steelhead presence in that part of the watershed and are deciding to what extent they should incorporate that into the HCP. There are opportunities to continue that discussion.... In the Salinas River Lagoon, MCWRA is considering alternative operations related to the slide gate; could include fish passage opportunities or restoration in the Old Salinas River channel or lagoon. Ross said he would like to be involved in discussions around fish passage and restoration, noting that there is potential interest on the part of farmers to support those opportunities.

3. Residual Permit Designation: Doug Dowden provided an update on Residual Permit Designation for commercial, industrial, and institutional (CII) facilities, and AB 2106. The Residual Permit Designation is an extension of the Industrial stormwater General Permit. The EPA and the Regional Water Quality Control Boards regulate stormwater discharges from regulated municipal separate storm sewer systems (MS4s), industrial activities, and construction sites. EPA or the Regional Boards can use their "residual designation" authority to require NPDES permits for other stormwater discharges or category of discharges on a case-by-case basis when it determines that:

- the discharges contribute to a violation of water quality standards,
- are a significant contributor of pollutant to federally protected surface waters, or
- controls are needed for the discharge based on wasteload allocations that are part of TMDLs that address the pollutant(s) of concern.

The EPA was petitioned to allow designation of categories of stormwater discharges from privately-owned CII sites that contribute pollutants for which TMDLs had been prepared in two watersheds in Los Angeles County. An extension of this is AB 2106 which is sponsored by Coastkeeper. AB 2106 would

require a state general permit for CII sites statewide by 2025. This includes privately owned CII facilities – 5+ acres of impervious area, and potentially 3+ acres of covered surface. The permit would require facilities to implement extensive water quality treatment systems. The statewide CII draft permit is expected by 2025.

Doug mentioned the issue of GenX chemicals (PFAS and the 9,000+ derivatives) and USEPA's updated drinking water health advisories. GenX chemicals are present throughout the world; 99% of living organisms have it in their systems. Now that it has been identified as a toxic chemical resulting in a litany of health issues, sites with PFAS contamination will likely be designated Superfund sites. The cost to treat for it is, expensive....

Doug stressed that the implications of the Residual Permit Designation and AB 2106 are large, the costs very high. Facility owners would need to install treatment trains with granulated activated carbon, electro-oxidation, or reverse osmosis – very expensive. Doug suggested that the high cost of the permit requirements may lead to desert shopping zones. He also wondered whether the statewide permit would be successful in achieving the intended water quality goals, stating that, in his opinion, treating the runoff from highways may be a more effective approach.

4. IRWM Implementation Grant - Project Review and Round 2 Project Selection: Susan Robinson presented the Project Review Committee's draft Ranked Project List for the IRWMP. The Project Review Committee consisted of Ross Clark, Emily Gardner, John Hunt, John Olson, and Susan.

Susan briefly described the scoring process, noting the two separate ranked lists: one consisting of all implementation projects and based on three scoring criteria (the extent to which projects address 1) IRWMP goals and objectives, 2) IRWMP resource management strategies, and 3) climate change); and a separate list consisting of just those projects on the table for the Round 2 Implementation Grant. Scoring for the Round 2 list included four additional categories, which were added as part of demonstrating a competitive process for selection of Round 2 projects. Susan asked if anyone had any questions or comments about the ranked project lists. There were no questions or comments. A vote was held to approve the ranked project lists: All Regional Water Management Group (RWMG) members present voted in favor, none voted against, none opposed; plus two RWMG members (City of Soledad and City of Salinas) had voted to approve the ranked project lists via email prior to the meeting.

There are currently eight projects on the table for Round 2. Each of the project proponents had an opportunity to very briefly describe their project(s).

Importantly, Susan noted that the sum total grant amount requested for Round 2 is *less* than the Region's allocated amount: The requested grant amount is \$3,511,230, whereas the available amount is \$3,560,340. Furthermore, Ross noted that the Central Coast Wetlands Group will be removing one or more of its projects from consideration for Round 2.

Given the shortfall in the requested grant amount, Susan asked the group for input on how to proceed. Should we briefly re-open the solicitation period (with an expedited review process)? Ross and Bridget Hoover spoke up in favor of that approach. Mark Silberstein also noted that the Elkhorn Slough Foundation's project, as an acquisition project, could easily expand its scope of work and budget. Mark wanted to know the level of certainty required for non-State match at the time of application; Susan will find out.

Donna noted that Castroville Community Services District is trying to save their Well No. 3, and is considering installing a package desalter. This project needs feasibility work (Susan informed Donna that

IRWM projects can include planning but must result in a complete implementation project). Donna will talk with Eric Tynan and report back to Susan whether he might want to include this project for Round 2 consideration. Susan asked Ross to let her know which projects CCWG would like to keep on the table for Round 2. When she hears back from Ross and Donna, she'll report back to the Regional Water Management Group and decide (quickly) whether a brief project solicitation should be announced to all IRWM stakeholders.

It was decided that the RWMG should meet again next month in order to move the Round 2 decision process along (instead of the regular bi-monthly meeting schedule).

5. Other Business: Susan brought to everyone's attention the Draft Guidelines and Proposal Solicitation Package just released by the Department of Water Resources for Urban Community Drought Relief Grant Funds. Projects must provide at least 50% of the benefit to areas covered by an Urban Water Management Plan. Funds available:

- Urban Community Drought Relief: \$175M
- Turf Replacement: \$38M
- Conservation for Urban Suppliers: \$71.25M (water conservation projects for Urban Water Suppliers)

Regional Water Management Groups are eligible applicants! The minimum application award is \$5 million. Smaller projects (with multiple project proponents) can be bundled together into a single application with a Lead Applicant – just like an IRWM grant application. Susan suggested that group consider putting together a regional application.

*The next RWMG meeting will be held on **Wednesday, September 21, 2022**, time TBA.*