

4:00-6:00 pm
Novato Sanitary District
500 Davidson Street, Novato, CA 94945

I. Introduction/Announcements.

* Network and Council Member News – No Announcements

II. RWQCB Waivers. Susan Gladstone provided background on the two waiver presentations. She referred to the TMDLs completed in Napa and Sonoma and the RWQCB's responsibility under the state Non Point Source Policy adopted by the State Water Resources Control Board. Susan described the three approaches available: 1) Prohibition, 2) Waste Discharge Requirements (Permit), 3) Waivers (Conditional). She acknowledged the good land stewardship in Napa and Sonoma as the basis for implementing a general conditional waiver for vineyards and grazing in both watersheds. She highlighted the overall goal of reducing loadings and noted that landowners would have to submit a Notice of Intent (NOI) to apply for the waiver.

Tina Low used PowerPoint to present the Vineyards Waiver Program. Tina first highlighted the water quality issues in the Napa River and Sonoma Creek watersheds (habitat for salmon and steelhead, recreation, impairment due to sediment, pathogens and nutrients). Tina then described the connection between vineyards and water quality and provided examples of impacts from vineyards (sediment loading, erosive flows, nutrients, pesticides/herbicides, and changes to stream and riparian areas). Tina presented the framework for the waiver (self directed, farm plans, implementation actions per schedule) and the components for a farm plan (assessment, evaluation of all pollutants, strategy for implementing management practices to prevent discharge). She also summarized the elements of the waiver (waiver conditions, farm water quality plan, waiver standards, implementation, and compliance and effectiveness monitoring and reporting). Tina ended with a description of the process (Technical Advisory Group and a Stakeholder Advisory Group) and next steps with a schedule projecting adoption of the waiver program in the summer of 2011.

Tina offered to provide a PDF version of her PowerPoint for the NBWA website.

Rico Duazo used PowerPoint to present the Grazing Waiver Program. He provided a definition of grazing (animals on land > 45 days/year) and the starting proposal to regulate properties over 50 acres. Rico provided some background on the two year effort in Tomales Bay that provided good elements for the Napa/Sonoma Waiver approach. He described the elements (waiver conditions, NOI-1 page, ranch plan, and compliance monitoring and reporting). After highlighting waiver conditions (address sediment, pathogens, nutrients, roads, avoid over grazing, and manage animal crossings), he described the components of a ranch plan (map and inventory, animal inventory, detailed description of management practices, and an implementation schedule). Rico emphasized there would not be water sampling, visual inspections would be required at a certain frequency and owners would submit an annual certification. Rico described the next steps and schedule and projected public review of a draft in early 2011 and a hearing in the summer of 2011.

The Watershed Council had a number of questions. What happens to dairies? (There is a dairy permit in existence and is revised every 5 years). What if a ranch has no identifiable streams? (Still need to control pollutant runoff.) Are inspections done by owner/operator? (Yes.) Can properties including vineyards and grazing be combined? (Yes.) Is there an approval step for plans? (No, RWQCB will do random inspections.) If 85% signed up in Tomales what happens to other 15%? (May be a data base issue, RWQCB will follow up.) Will RWQCB do water quality monitoring? (Some programs are in place for monitoring, as part of larger watershed efforts.) Can you clarify use of ranch plan? (Plan stays on site, not formally approved, annual report submitted.) How will you handle small parcels, 2-5 acres? (Can apply requirements to properties less than 50 acres.) Will Vineyard Program apply to whole parcel or properties? (Will apply to all vineyard practices and roads that serve the vineyard.) When did the Tomales Bay process start? (2005.) Was the Sonoma Creek sediment TMDL approved by the EPA? (Submitted, expect approval.) Sonoma County has a detailed

ordinance for erosion control with a different approach, is this duplicating the effort? (Can avoid duplication.) SFEI and USGS have indicated San Pablo Bay may need more sediment, how does this relate to the sediment TMDL? (Will need to strike a balance between stream beneficial use and the bay.) Are there any baseline surveys on sediment and pathogens? (Evaluated on a 5 year cycle depending on budget.) What was the basis for allocating zero to wildlife? (Based on monitoring.) How will you check compliance? (Spot inspections, certification has penalties for falsifying.) Do you have any other examples of programs where the plan is kept on site? (Yes – construction.) Will you have examples for plans? (In Tomales Bay, a team of technical advisors developed the “ranch plan model” and tested, hope for something similar.) What is the process for third party program approval? (RWQCB already approved one and opened to others.) Final comment – Fish are key beneficial use but no mention of monitoring.

III. BAIRWMP Update. Harry Seraydarian used a PowerPoint presentation to update the Watershed Council on Bay Area efforts. Harry focused on funding sources including Proposition 50 supplemental funding, Prop 1-E funding for Stormwater Flood Management, and Prop 84 funding for planning and implementation. Harry summarized the available funding for Prop 50 (maximum \$3.7 million, 10% match) and the projects that had been developed for a Bay Area proposal and the schedule for funding. Harry then described Prop 1-E funding (\$212 million competitive statewide, maximum \$30 million, 50% match) and emphasized that a project must yield multiple benefits and be consistent with an adopted IRWMP. Harry then presented the Bay Area process for adding projects including outreach and the NBWA actions to support outreach. (Information on the Bay Area process for adding projects is available at <http://bairwmp.org/projects/submitting-a-project-to-the-bay-area-irwmp>. Harry then summarized the Prop 84 requirements for planning (Maximum Award – \$1 million, 50% match) and implementation (Bay Area Target Allocation – \$15 million for first round, 25% match). Information on Prop 84 implementation grants can be found at <http://www.water.ca.gov/irwm/docs/prop84/guidelinesp/DraftImppsp.pdf>. Harry also illustrated the proposed DWR scoring for Prop 84 compared to Prop 50 and emphasized the requirement for economic (benefits) analysis. Harry also described state program preferences and priorities. Harry provided a description of the Bay Area efforts to identify “Regional” Projects for Prop 84 and a summary of projects identified to date and noted the intention to update the 2009 Regional Project List. Harry noted the North Bay Water Reuse Authority proposal for a “regional” project and the SCWA proposal for a “Green Infrastructure” Pilot. Harry emphasized the need for Marin, Napa, and Solano to develop “Regional Green Infrastructure Pilots”. Harry ended with a description of recent EPA funding for the North Bay TMDL Implementation Project, ARRA funding for NBWRA, and recently proposed legislation, HR 5061, to fund San Francisco Bay implementation of the Bay Area Comprehensive Conservation Management Plan (CCMP) at \$100 million/ year.

IV. Wrap Up.

* Next meeting?

– Likely September 2010

Participants:

Bob Anderson, United Winegrowers

Darcy Aston, Napa Sanitation District

Betsy Bikle, Mill Valley Streamkeepers & Marin Conservation League

Rico Duazo, Regional Water Quality Control Board, SF Bay Region

Jack Gibson, Marin Municipal Water District

Susan Gladstone, Regional Water Quality Control Board, SF Bay Region

Dale Hopkins, Regional Water Quality Control Board, SF Bay Region

Margaret Johnston, Tomales Bay Watershed Council

Sue Lattanzio, Friends of Novato Creek

Tina Low, Regional Water Quality Control Board

Patrick Lowe, Napa County Planning

Andy Rodgers, Petaluma Chamber of Commerce

Tito Sasaki, North Bay Agricultural Alliance
Bill Scott, Marin Building & Construction Trades Council
Jeff Sharp, Napa County Planning
Leigh Sharp, Napa Resource Conservation District
Claus Suverkropp, Larry Walker Associates
Leandra Swent, Southern Sonoma County Resource Conservation District
Peter Vorster, The Bay Institute
Harry Seraydarian, Executive Director
Elizabeth O. Preim-Rohtla, NBWA Assistant