

North Bay Watershed Association

Board of Directors Meeting - Summary

March 5, 2021 | 9:30 – 11:30 a.m.

IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDERS N-25-20 AND N-29-20 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE BROWN ACT, THIS MEETING WILL BE HELD VIRTUALLY VIA REMOTE CONFERENCING SERVICE — NO PHYSICAL MEETING LOCATION
Zoom Meeting
www.nbwatershed.org

1. **Welcome and Call to Order—Directors or Member Representatives Present Included:**

Michael Boorstein – Central Marin Sanitation Agency	Andy Rodgers – NBWA
Jason Dow – Central Marin Sanitation Agency	Sabrina Marson – NBWA
Leon Garcia – City of American Canyon	Ken Schwarz – Horizon Water & Environment
Paul Jensen – City of San Rafael	Ann Thomas – Marin Conservation League
Megan Clark – Las Gallinas Valley Sanitary District	Chris Choo – County of Marin
Rob Carson – Marin Countywide Stormwater Pollution Prevention Program	Lisel Blash – Marin Environmental Housing Collaborative
Jack Gibson – Marin Municipal Water District	Erica Yelensky – US EPA – Marin Conservation League
Larry Russell – Marin Municipal Water District	Chelsea Thompson – City of Petaluma
Cheryl Howlett – Marin Municipal Water District	Kevin McDonnell – City of Petaluma
Ryan Gregory – Napa Sanitation District	Susan Stompe – Marin Conservation League
Rick Fraithe – North Marin Water District	Keith Lichten – SFB RWQCB
Tony Williams – North Marin Water District	Derek Beauduy – SFB RWQCB
Roland Sanford – Solano County Water Agency	Intiaz-Ali Kalyan – SFB RWQCB
Jean Mariani – Novato Sanitary District	J. Martinez
Pamela Meigs – Ross Valley Sanitary District	Frances Knapczyk – Napa RCD
Elizabeth Patterson – Department of Water Resources	Nicole White
Bené da Silva – Napa Flood Control	Renee Hu
Don Seymour – Sonoma Water	Steven Lee
Susan Gorin – County of Sonoma	Lauren Hart – Sonoma State University
Gustavo Goncalves – County of Marin	

Fifteen NBWA board members attended the meeting comprised of 41 agency staff, stakeholders, partners, and interested members of the public.

Call to Order – Jack Gibson called the meeting to order at 9:31 am via Zoom.

- 2. General Public Comment** - One comment from Gustavo Goncalves— the Marin County parks recently learned from the San Francisco Bay Restoration Authority that Measure AA Grant funding was awarded for the McInnis Marsh restoration and Gallinas Creek Geomorphic Dredge Project. The funds will support completion of design CEQA and permitting for both of the projects.
- 3. Approval of Agenda** - Unanimously approved
- 4. Approval of February 5 Meeting Summary** - Director Mariani moved. Director Meigs seconded. Unanimously approved.
- 5. Accepted Treasure's Report** - Director Mariani moved. Director Clark seconded. Unanimously accepted.
- 6. Election of Board Officers for 2021/2022** - At the February meeting, the offer was extended to anyone interested in serving as a Board Officer to contact Andy. Directors Mariani and Connolly

expressed interest in Vice Chair. Director Gibson is open to continuing service as Chair. Chair Gibson opened for nominations. Director Fraites nominated Director Gibson for Chair; Director McDonnell seconded. Director Mariani nominated Director Connolly for Vice Chair; Director Meigs seconded. No other nominations received. The nominations were unanimously approved.

7. **Guest Presentation– San Francisco Bay Regional Water Quality Control Board Update On Water Quality Impacts Related To People Experiencing Homelessness**

Keith Lichten – Chief, Watershed Management Division

Derek Beauduy – Municipal Stormwater Section Lead

Imtiaz-Ali Kalyan – Municipal stormwater staff

San Francisco Bay Regional Water Quality Control Board

Watershed Management Division

Topics covered:

- Bay Area unsheltered (vehicles, camps, out on the streets, etc.) homelessness. The trend has increased 20 to 45 percent in South, West, and East Bay from 2017 to 2019. Water quality issues include trash, sewage (bacteria and pathogens), direct riparian and creek bank impacts, and illegal dumping. Local Agency Interests: Support residents, Clean creeks and Bay, Flood management, NPDES municipal stormwater permit compliance, Clean Water Act citizen suit provision (two suits have come up recently, Baykeeper San Jose settlement (\$100 million) and Baykeeper lawsuit against Sunnyvale and Mountain View for bacteria.

- Water Board role. The board has a range of responsibilities and is looking for a reasonable and balanced approach given limited resources. The main focus is on water quality impacts. Regulate discharges of waste from encampments. Support municipal actions. Cover under broader permits: NPDES Municipal Stormwater Permits and Permits for work in creeks and wetlands.

The Water Board Resolution R2-2015-0024 “Actions to address the adverse water quality impacts of homeless encampments” confirms statement of purpose and encourages folks to do the "right thing".

Discharges are regulated by:

- NPDES Municipal Stormwater permits
 - Municipal Regional Stormwater NPDES Permit
 - Statewide Small and Non-traditional NPDES stormwater permit
 - Statewide Trash Amendments
- Clean Water Act Section 401 Water Quality Certifications
 - Work in and around creeks, flood control channels
- Petaluma River Bacteria TMDL
 - Measures to address potential impacts of homeless camps in municipal and Caltrans rights of way
- What are municipalities doing?
 - Municipal Regional Stormwater Permit
 - Prohibition against cause or contribution to impairment
 - Trash control
 - Proposed: Discharges associated with unsheltered homeless populations
 - Direct Discharge Control Programs. Cities can get credit by working on the following:
 - Identify sources of trash
 - Encampments

- Illegal dumping
 - Describe control actions
 - Map affected receiving waters
 - Assess and report on controls and water quality benefit
- This is an early draft of what the homeless provisions are likely to become.

- Cities and counties are doing the following:
 - Homelessness provision reflects work already being done.
 - Encampments
 - Provide sanitation services, including access to running water
 - Clean sidewalks, streets, and plazas
 - Collect trash
 - Vehicles
 - Provide designated parking areas
 - Provide sewage disposal services (pump-out stations, mobile pumping services, voucher programs)
There are a range of challenges, for example for RVs and vehicles, some may not be working or owned by the residents, to be able to participate in some programs.
 - Longer-term actions
 - Develop funding (e.g., Sonoma Measure O)
 - Modify response approaches (e.g., Kahoots)
 - Housing resources, services

Municipalities can help coordinate the contractors for how these measures can be implemented effectively.

Some of the problems are so significant that some of the solutions can be hard to scale. Resources are key.

Creek and Wetland Permits:

- Stream Maintenance Programs
 - Trash and homeless encampment cleanup are allowable mitigation for temporary impacts
- Bay Area Flood Protection Agencies Association (BAFPAA) – Water Board Coordination
 - Considering general permit approach to address creekbank impacts of encampments
- Caltrans: trash control
 - Cease and Desist Order issued in February 2019
 - Trash control benchmarks ~ 1,000 acres/year
 - Control trash from all Significant Trash Generating Areas of right-of-way by December 2030
 - Submit Workplans are being reviewed.
- Cooperative implementation opportunities.

Derek invited any municipal NBWA member that have a cooperative project where a Caltrans right-of-way and a Municipal right-of-way can benefit from a trash control structure

install within the municipal right-of-way to reach out to him or Caltrans to looking into cooperative implementation.

Questions:

Clark: She had an idea that someone can go to the homeless encampments to teach about water quality?

Lichten: There are a few organizations that are informally doing engagement and education. He agrees there could be more stewardship engagement.

Gregory: Is part of the regulations an incentive to move this population out of these sensitive areas?

Lichten: The obvious water quality approach is to find location that have less direct effect on water quality, but then that created tension with folks who prefer to be near waterways and out of site. The intent is to foster the conversation and not implement a "command and control" regulatory way.

Fraites: Regarding Novato RVs. Do they work with the State, Fish and Wildlife? Have they weighed in?

Carson: Fish and Wildlife has been out for site visits and have shared mitigation efforts, which were then shared with the water board. He did see some of these mitigation actions shared in the presentation. Fish and Wildlife aren't in favor enforcing regulations without resources.

da Silva: His personal experience with this complex issue is that collaboration is key. If there is a funding mechanism, that would also be helpful.

Lichten: He recognizes there has been limited federal funding and that cities are using state or other grants and that a lot of great work comes when resources and funding are available. Measure O (which will provide \$25 million a year for mental health and homelessness services over ten years) is an example of local funding support.

Garcia: His 27+ years of experience with Community Action Napa Valley and Napa State Hospital has confirmed to him that services and resources are better than moving homeless along. He wanted to share his support for what some municipalities are doing to aid the issues and that regional collaboration is going to be key.

Lichten: Thanked Garcia for his comments and acknowledging the need for reducing relocation and what can be done to bring services to where people are.

Russell: This is more a social issue than a water quality issue. He supports what Oakland has been doing, such as setting up facilities. He compliments CalTrans and Water Board's efforts to try to assist with homeless encampments.

Lichten: He agrees there's a benefit to develop prevention services.

Martinez (chat): Santa Cruz has done some work on involving the unsheltered population in the stewardship of the watershed

8. **Roundtable - Regional Water Supply Conditions Updates** Member and partner agencies shared information on current water supply conditions and/or associated conservation measures, programs, and awareness campaigns.

Don Seymour started the discussion acknowledging the current drought conditions. Lake Mendocino storage levels are low. The projections don't look good. Lake Sonoma storage is equally concerning. Water conservation outreach is being discussed.

In January, Sonoma Water submitted and was approved a temporary change in classification with the State Water Control board. The upper Russian River is in the driest water supply condition.

Questions:

Russell: He made the comment that he doesn't see any real benefit in looking to historical data. He is under the impression that there is not a stage drop at the Russian River collectors. Does Don's model look at that communication portion between surface and ground water? Have they tried to develop a sustainable yield? Is there a sustainable yield?

Seymour: They make releases from Lake Sonoma to make sure minimum stream flow requirements are being met; these are their measured downstream from the collector wells. There isn't an issue with drawing down the river. Ranney collector wells are in close contact with surface water. The water being pumped is seen by the water board as division as surface water, but from a water quality perspective, they are permitted by ground water.

Russell: Are temperatures the same from ground and surface water?

Seymour: No, there a big difference in temperature, which is being used as a tracer to understand how water is being moved through their system.

An inflatable damn is also being used to help their system and they see temperature changes in this process.

Seymour: In regard to looking back, they use climate change data sets in their long-term planning. That is why they use historical data. There's some good drought information in those data sets.

Russell: He would like Seymour to present to his District Operating Committee and will coordinate with him directly. He asked if there was anything MMWD can do, let him know.

No other questions.

9. Executive Director Report

Andy reported on activities that have taken place since the last meeting:

- Attended SOE conference SC meeting on Feb 23
- Presented Regional Collaboration with a One Water Strategy to Marin Conservation League on March 3
- Met with SCTA/RCPA on Feb 26
- Quarterly newsletter distributed
- AR – Member dues
- AP – Subconsultants
- FY 21/22 work plan will be considered for approval on April 2

- Continually updating distribution lists and website as needed.
- Call for newsletter topics and program highlights
- Planning to attend Water Bond and Resilience Coalition conference call with Assembly Member Jim Wood on March 8
- Developing JTC plan and focus for 2021
- JTC meetings to resume April 2021
- Conference committee to focus on 2022 event

10. NBWA Information Sharing - Board members

Gibson: Marin Municipal Water District is concerned about the drought. They are preparing on all fronts for supply management. They are doing a conservation promotion to get message out. Lawn signs are in development. Anyone else interested in the lawn signs, let him know.

Russel: They are implementing mechanical efforts, increased RR water intake. They already hit their annual take from the SW aqueduct. MMWD is pumping Phoenix reservoir and Soulajule reservoir (generators are being brought in for the pumps). Water treatment plant may open in April and will work year-round. Reclaimed water signs will be handed out.

Water crisis awareness is important.

Meigs: Ross Valley Sanitation District is using recycled water to perform wastewater collection system maintenance activities. They reached a goal on 100K gallons of recycled water by use since the beginning of the FY of July 2020. Each gallon of recycled used saves a gallon of potable water.

Garcia: City of American Canyon is also concerned with conservation outreach. They are creating off-set options from the past that they will look in to again, like lawn replacement rebates.

Clark: Las Gallinas Valley Sanitary District's the secondary treatment project is going smoothly. They are in the midst of a classification study; they have it and now have to respond. Their union contract is coming up; where to site their admin building is still an issue. She will pass that Russell would like a timeline on recycled water.

Carson: Marin Countywide Stormwater Pollution Prevention Program they submitted over 341 acres worth of trash projects to CalTrans for cooperative funding opportunities-the more detail on the projects the better.

Important to almost everyone in NBWA is AB 377 bill that is currently in committee (Environmental, Safety and toxic materials committee)
(https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB377)
CASQA has authorized their ED to lobby against the bill. The bill essentially removes a lot of regulatory authority from regional and state boards. He encourages agencies to reach out to the committee to express their thoughts. He's happy to provide what he knows.

Boorstein: Central Marin Sanitation Agency is able to take additional liquids from others except wastewater sludge from local agencies; process is similar to FOG. By 2022 they will be powered by biodiesel 100 percent. They have a new engine and will have their 750 kilowatt generator that was repaired. They can provide more energy to Marin Clean Energy.

There is an abandoned sewer that is being removed near a creek on shady lane, which will help restore the creek and fish transit. Plans and permits are being processed.

Fraites: North Bay Water District instituted the AMI program a year and a half ago and is incredibly successful; saving tens of thousands of gallons of water due to the changeover. Recycled water was instituted for turf areas and is highly successful with 91 signups. They are making plans for the drought and working with customers to save water. They supply to most Marin cities and they are dealing with salt intrusion (no state of federal guideline issues). They are drilling a new well. They are looking into and planning for possible future housing developments.

11. Agenda Items for Future Meetings

April 2 – Post-wildfire water quality findings update, and consider FY21/22 work plan
May 7 – Local/regional Environmental Education Program updates
June 4 – North Bay One Water initiatives, Sustainability Collaborations and Programs
July 9 – Legislative Updates

Others in development: urban scale carbon sequestration initiatives, funding, water management/conveyance and transportation, member collaboration updates and highlights.

12. Announcements and Adjourn

Meeting adjourned at 11:28 am
Next Meeting: April 2, 2021, Zoom

SUBMITTED BY: Andy Rodgers, Executive Director, NBWA