

Summary of Discussion From the 2016 Water Boards Water Quality Coordinating Committee (WQCC) Meeting, October 24 & 25, 2016

Below is a summary of the discussion during the WQCC meeting. Not all [meeting sessions](#) will have a discussion summary. In addition, it is not consistently noted who made specific comments, questions, or responses. Titles in this document may be linked to existing websites or posted documents.

Day 1 – Monday, October 24, 2016

Legislation Update and Discussion with Administration Representative

- Region 6
 - How is CalEPA looking at cross media policies and ecosystem management?
- Region 4
 - How will CalEPA work with the new Presidential administration to secure money for policies that are in line with our projects?
 - In public schools not all water faucets works. Will SB 828 address this?
 - 1858 DMV collaboration – will the Water Boards be given resources to assist for collaborative efforts?
 - Urban disadvantaged communities (DACs) are being left out. They are not considered small water systems. Do any of the bills mentioned address this issue?
 - Unknown number of marijuana cultivators. Need to be protective of fish, wildlife, and domestic use.
- Region 8
 - Definition of small water system? Is there a way to divide water usage in common usage areas, such as multi-use buildings?
- Region 3
 - SB 552 - Financial assistance for administration of small water systems that consolidate. Are there grants for for-profit administrative services?
 - Are Regional Water Board responsibilities limited to outdoor marijuana cultivation sites?
RESPONSE: Liken it to any other type of crop production.
- Region 2
 - Are you allowing restructure of rates when consolidation is mandated?
 - What percentage of the 2,000 water agencies will be consolidated?
 - Relationship between water quality and affordability – this is a double-challenge when the money not being recovered.
 - The vote on marijuana – what will the challenges be from the passing of this initiative and with our programs?

- Region 7
 - Indoor marijuana cultivation issue – discharge goes to wastewater distribution facility. Are there rules that apply to indoor cultivation?
 - RESPONSE: CDFA permit bill, passed last year, addresses this. Bureau established it last year.
 - Sustainable Groundwater Management Act (SGMA) in Kings River – were there issues that caused bills to be passed?
- East Porterville Water Supply Project discussion:
 - Region 4:
 - What was the institutional infrastructure for East Porterville's management of wells prior to the East Porterville water supply reliability project and after?
 - Region 3:
 - How many households in East Porterville have wells and how many have hookups?
 - Region 4:
 - What was done to get East Porterville to take on the East Porterville homes?
 - Region 8:
 - What is the cost for the East Porterville project?
 - Region 5:
 - Is an unincorporated area and most were renters. How did we get homeowners involved?
 - The nitrate contamination comes from the sewer system. Need to work with the community to assist with this issue. Use community resource fairs to provide outreach. Educate on wastewater treatment and drought. Target youth for education.
 - Region 4:
 - Communicate with community by targeting health issues, as this is an important issue to many people. It is important to do something with what you heard. Need to talk about water as a whole and not as a commodity.

Water Quality Goals

- How does the numeric value for taste and odor apply in mitigation? These differ from the MCLs. Do taste and odor apply to color?
 - RESPONSE: Suitable water source if over 3,000 ug/L.
- Past, present, and future uses used for past salmon run restoration.
- Region 4:
 - Quality objectives – do they apply statewide? How do these work with TMDLs? Does the standard have to be the lowest level available/can find? What do you do when the residual water is contaminated and it can't be sent to a treatment plant?
- Region 2:
 - Do the PRGs roll into the objectives?

- Region 9:
 - Conflict between antidegradation and background levels?
- Region 1:
 - Region 1 has high quality water and antidegradation is a challenge.

Day 2 – Tuesday, October 25, 2016

MS4 Permit Challenges and the Cost of Compliance

- MS4 permit important to TMDLs and TMDL implementation.
- Water Board requirements may be narrow, but need to try and blend multi-purpose uses. Better communication to the public to allow for better funding.
- Region 9:
 - Cost-benefit analysis of new biological-based MS4 permit.
- Phase II Permit in the Lahontan Region is not a comfortable fit for the Mohave Desert area.
- Non-filers in Ventura County – use third-party for assistance in filing. How to get the last 10 percent (%) to enroll? How to get non-filers of the Industrial Storm Water Permit to enroll? An idea is to have them enroll when the counties and cities try to obtain a business license.
- How to assist with education for non-filers who are new to the business and don't know storm water requirements.
- All sewage is exported from the Tahoe area. All nitrate contamination is from automobile tail pipe emissions.
- Lake Tahoe restoration cost – did it include the amount Caltrans spent on their project?
- Is Lake Tahoe an indicator of the health of our watersheds?
- In the Los Angeles area, air deposition is a major contributor to pollution. Need cross-media conversations with the California Air Resources Board.
- Region 4:
 - Difficult questions received from communities, such as Maywood: "How will we be able to comply? We don't have money/funds for that." How do the Water Boards respond to that? What are some of the examples that have moved to a "One Water Vision"?
- Region 3:
 - As a follow-up to the previous question, how can the State and Regional Water Boards work together to develop a message we can relay?
- Region 2:
 - Is there a leader in the Legislature?
- Region 4:
 - Lots of success stories in different cities, in the State – what can we do to make sure we are sustainable in our message?
- We need to think outside of the box for alternative funding like the energy sector has.
- Region 4:

- Can the State develop a PowerPoint (messaging) so that State and Regional Water Board members share the same message?
- Strategy to Optimize Resource Management of Storm Water (STORMS) to work with Steve Moore to develop a message.
- Region 9:
 - Have you seen a difference in the clarity of Lake Tahoe? Do you know if these cities have passed on the costs to the residents?

Increasing Program and Process Efficiencies

- Region 4:
 - Students could benefit immensely in each region from existing databases, such as the Los Angeles Waterkeeper database.
- Region 3:
 - Dun and Bradstreet have a comprehensive database that you can search Standard Industrial Classification (SIC) codes in.
- Region 7:
 - Will a "ticket" system work to get folks to enroll in the Industrial General Permit?
- State Water Board:
 - There are likely ways to streamline enforcement (could ask Cris). We could propose a legislative fix on how to handle non-filers. The Legislature and the CA. Dept. of Finance is not sympathetic to the Water Boards not having enough staff/resources. Perhaps third-party certifications make more sense because they act like buffers. On average water quality is better although we are resource-limited and challenged.
- Region 7:
 - When do third-party certifications become an impediment?
- Region 1:
 - Regarding third-party certifications: There is an incentive for many agricultural growers, but what about industrial entities (i.e., scrap metal). What's the incentive – the 'carrot'? For example, ag. can put labels on their produce/wine if involved in a third-party cert.
- Region 2:
 - Every industry will be different. The incentive could be streamlining reporting, etc. Don't feel we have good incentives.
- Region 4:
 - They get part of the fee to run the third-party certification program. If we have difficulty getting just 11% enrolled, how do we get full enrollment?
- Region 3:
 - Twenty thousand acres enrolled in Sustainability in Practice (SIP) certification. Third-party certifications should pursue high value crops (i.e., strawberries). Our job is to delegate with control. Perhaps an incentive for landowners would be: "If we don't regulate ourselves better, then we will be told how to do it."

- A UC Davis study found there is consumer preference for sustainable products. Consumers would pay more for sustainable wine. How can you monetize the branding recognition with industry? The carrot still exists with the relief of the burden of regulation, such as with landfills.
- Region 7:
 - What criteria are we setting up for third-party certification providers?
- Region 2:
 - First, they must encompass all we need; Water Board staff will work with them. We need to monitor third-party certifications to ensure what they are reporting is accurate. Maybe third-party certification operator enforcement could exist? We should develop experience working with these third-party certification organizations first.
- Region 7:
 - Could landfill owners create their own third-party certification group(s) and present them to the Water Boards?
- Region 3:
 - Should start discussion with regulatory agencies to determine criteria that needs to be met first. What helped the SIP program is it received a CA Dept. of Food and Agriculture grant. Perhaps get a grant and develop a formal program. Suggest pursuing some seed money to build a critical mass.
 - Important to understand what we want from a third-party certification organization. Identify the outliers and take the 'good actors' out of the pool and focus on the 'bad actors'. We need to find and enroll them. We've pushed the formation of coalitions by putting language into the waiver/permit stating some requirements may be relaxed. Incentives: maybe combine vineyard and winery permits into one?
 - Different incentives for groundwater monitoring coalitions.
 - Maybe cities in Southern California could get some money from licensing fees. Maybe amnesty period for non-enrollees that third-party certifications could work with to get enrolled.
 - The cons: environmentalists pushed back because saw regulations being relaxed. Could work with the State Water Board to develop a streamlined fee collection system.
- Region 5:
 - Portfolio Management process integrates communication between the Regional Water Board and State Water Board program managers in developing schedules, work plans. Also take into account State Water Board priorities and communicate at program roundtable meetings.
- Region 3:
 - Did you survey staff to calibrate the success of Portfolio Management?
- Region 5:
 - No survey done – have been considering it. We are changing a culture. We are in our third year now of implementing this process. Will take longer to change the culture.

Annual meetings are beneficial with staff. Still a steep learning curve. Program managers are on board.

- Region 6:
 - Asked staff to identify what they are supposed to do versus what they are doing? As a Board Member, find this information very useful. Does Region 5 do this?
- Region 5:
 - Resource allocation slide will adjust priority projects and core activities (shift up or down) based on priorities that year. We have something concrete to base decisions.
- Region 6:
 - How does the Office of Personnel allow this? Any road blocks?
- Region 5:
 - Make sure staff working in programs they're billing are accurate. Get an accurate account of the PY's in our programs.

Group Discussion and Wrap-Up

- Region 4:
 - Best WQCC – welcoming meeting with wonderful decorations. The staff organization of the meeting was great. Hearing success “stories” from other regions allows the regions to learn from one another.
- Region 3:
 - Experiences from the other regions are important to share with one another.
- Region 8:
 - The Discussion with Chief Counsel Session should have been earlier.
- Region 2:
 - Need education, to the Regional Water Board members, on other issues other than on water quality.
- Region 5:
 - Need education to polluters/dischargers. Most do not understand water quality and all the required permits. Need to get to the root of the problem. We need to educate youth and at colleges.
- Region 4:
 - The Water Board's mission is driven even if we are hearing from our stakeholders. We need to help them understand our mission to ease the financial burden and hesitancy.
- Region 3:
 - Similar to the shift from just enforcement to a real problem-solving mentality.
- Region 4:
 - An MS4 issues fact sheet is being drafted by the State Water Board (Johnathan Bishop) with the aim of having all the regions convey the same message.
- Region 9:

- Compliance assistance approach found that many are not following their mitigation projects at all or at the level they stated. Now taking a compliance assurance and enforcement approach. Many consultants have been non-compliant.
- Region 3:
 - Third-party certifications – high enrollee/low staff ratios, particularly with large programs (i.e., ILRP).
- Region 8:
 - In urbanized areas how important MS4 permits are to TMDL implementation.
- Region 2:
 - How can we ensure requirements are multi-beneficial versus the one-water approach: supply, treatment, storm water, and flood control? Need better messaging to the public – a multi-benefit message.
- Region 9:
 - Cost-benefit analysis in Region 9, a joint effort between the County and City of San Diego to address concerns with recent MS4 permit. Said too expensive to achieve bacteriological TMDL. Regional Water Board engaged these entities. Jointly selected consultants to do analysis to identify areas of concern and important areas to address. Been effective and identified priority areas of concern, which is human waste.
- Region 6:
 - How do we add more priorities over time ([Color Wheel of Water Infrastructure PowerPoint](#)), how to integrate more priorities over time, increase efficiency and use limited resources? Caltrans and Region 6 staff – more innovative and integrative approach. In Region 6, have one Phase I MS4 permit – staff focused on what was causing Lake Tahoe clarity issues. Focused permittees on work to address clarity and held them accountable.
- Region 4:
 - Ten percent agricultural non-filers in Ventura County. Farm Bureau is very active. How do we get this 10% enrolled? Approximately 25,000 permittees currently enrolled. Perhaps ask cities to require industrial entities to show them enrollment before getting business license and they would also get a cut of the fee? Disadvantaged individuals (i.e., non-English speaking owners) – how do we find them? MS4 permittees need to partner with the Regional Water Boards. Third-party certifications were not successful in Los Angeles County, but were successful in Ventura County. How do we get sustainable auto dismantlers?
- Region 5:
 - Portfolio Management is a centralized structure to conduct business. Goals and objectives are laid out each year.
- State Water Board:
 - Lean-6 Sigma management aims to improve process and program efficiencies.
- Region 6:

- Lake Tahoe clarity – seeing a reduction in phosphorus since it is attached to fine sediment. All sewage is exported. Nitrogen is from tail-pipe emissions. It takes years of monitoring to eliminate all the ‘noise’ to determine the clarity issues. However, clarity has been stabilized.
- Region 2:
 - Is clarity an indicator of watershed health?
- Region 4:
 - A lot of nitrogen in our lakes comes from the air. The CA Air Resources Control Board (ARB) doesn’t prioritize atmospheric deposition into water. We should have more communication with the ARB.
- State Water Board:
 - Made all of the Division of Financial Assistance go through customer service training (Lean-6 Sigma).
- Region 2:
 - Third-party certification programs help to manage an otherwise unmanageable program. Third-party certification organizations are trusted by the regulated community. What is most important is that we are protecting water quality. Third-party certifications allow us to weed out the ‘good players’.
- Region 4:
 - Overall meeting - Having Water Board members being part of presentations and sharing their different perspectives. Beneficial to share how we manage difficult issues.
- Region 8:
 - Move up the Chief Counsel session to earlier.
- Region 2:
 - The Water Boards have the opportunity to integrate water quality, supply, and alternative water supply sources. Water quality is only a piece of the pie of this broader discussion.
- Region 5:
 - The constituency and efficiency sessions were great. For those individuals or groups lacking awareness or education of what they are required to do; we must figure out a way to communicate and educate these disadvantaged industries. Educate at schools and universities too.
- Region 4:
 - Help educate what our mission is while adhering to it.
- Region 3:
 - Shift to prioritizing enforcement and problem-solving, how we support staff, and effectively implement programs. Some regions may be doing it better. Should utilize the talents of staff.
- Region 4:
 - How do we work to integrate permits (i.e., Industrial General Permit, etc.)?

- Region 9:
 - There was a 2012 audit of the 401 certification program. Region 9 was not doing inspections, so got a PY to do this. Half of the projects did not do mitigation correctly or do any mitigation. Re-directing whole PY to compliance assurance, which will reduce issuance of certifications. Will triage some projects (smaller ones) so they don't wait six or more months. Level of non-compliance with reporting and mitigation measures. Focus on compliance assurance.