

Letter of Mutual Understandings

Integrated Regional Water Management Plan

1. PURPOSE

The purpose of this document is to establish the mutual understandings of San Francisco Bay Area agencies with respect to their joint efforts towards developing a San Francisco Bay Area Integrated Regional Water Management Plan (IRWMP).

2. GOALS

The goals of the IRWMP are:

- 2.1. Development of a comprehensive Integrated Regional Water Management Plan to facilitate regional cooperation in providing water supply reliability, water recycling, water conservation, water quality improvement, storm water capture and management, flood management, recreation and access, wetlands enhancement and creation, and environmental and habitat protection and improvement.
- 2.2. To foster coordination, collaboration and communication between Bay Area agencies responsible for water-related issues and to achieve greater efficiencies, enhance public services, and build public support for vital plans and projects.
- 2.3. To improve regional competitiveness for State and federal grant funding.

3. DEFINITIONS

- 3.1. **Integrated Regional Water Management Plan.** The plan envisioned by state legislators and state resource agencies is one that integrates the management plans of all water-related agencies in a region, in this case the San Francisco Bay Area, in order to foster coordination, collaboration and communication among those agencies and to assist decision-makers in awarding grants and other funding. The plan will address water supply, water quality, wastewater, recycled water, water conservation, stormwater/flood control, watershed planning, and aquatic habitat protection and restoration.
- 3.2. **Integration of land-use planning and water supply planning.** Bay Area water supply agencies are responsible for supplying water to meet the demands of their customers. Periodically, water supply agencies update their water supply plans to address changes in land-use and/or population projections within the areas they service. When updating water supply plans, water supply agencies consult with local land-use agencies and rely on approved local land-use plans, usually general plans, within their jurisdiction to formulate demand projections and plan for infrastructure improvements. Some water suppliers consult with other regional planning data, including the regional Association of Bay Area Governments (ABAG) land-use, jobs and population projections. To the extent that ABAG projections are consistent with local land-use plans, they are also used in the water supply planning process. Where there are discrepancies between the local

land-use plan and ABAG projections, water supply agencies must rely on the local land-use plan for water supply planning. Because the water supply agencies develop their demand projections by consulting local land-use plans or regional planning data based on regional land-use plans, there is an inherent integration of land-use planning and water supply planning. Ongoing review of the impacts of land-use decisions and general plan amendments on water supplies and infrastructure help maintain that integration.

- 3.3. **Agency.** A public entity, be it a special district, city or other governmental entity, responsible for providing, or authorized to provide, one or more services in the areas of water supply, water quality, wastewater, recycled water, water conservation, stormwater/flood control, watershed planning and aquatic habitat protection and restoration.
- 3.4. **Service function.** A water-related individual service function provided by an agency, i.e. water supply, water quality, wastewater, recycled water, water conservation, stormwater/flood control, watershed planning or aquatic habitat protection and restoration.
- 3.5. **Management plan.** An agency's plan that addresses how that agency will provide service in the future in one or more of the following service functions: water supply, water quality, wastewater, recycled water, water conservation, stormwater/flood control, watershed planning or aquatic habitat protection and restoration.
- 3.6. **Integration.** Assembling into one document all the water-related management plans in the San Francisco Bay Area. The first phase would be to list the plans "horizontally" within each service function across and among the responsible agencies. Then the plans would be categorized and linked "vertically" to identify where existing linkages occur among plans of separate service functions and to see where plans of separate service functions may further interrelate, e.g. wastewater treatment and water recycling or habitat restoration.
- 3.7. **Service-Function Technical Coordinating Committees.** A committee comprised of representatives appointed by each agency participating in this IRWMP effort in an individual service function, or closely related service function, in the San Francisco Bay Area to compile the agencies' management plans that relate to that service function. Agencies will not only include those already participating in a Bay Area-wide similar service-function association such as Bay Area Water Agencies Coalition (BAWAC), Bay Area Clean Water Agencies (BACWA), and Bay Area Stormwater Management Agencies Association (BASMAA), but other agencies involved in the same service function, such as those in the North Bay. Representatives of non-agency organizations (please see "IRWMP project participants" below) may be invited to participate as interested parties. An appropriate entity would facilitate a technical coordinating committee that would compile plans dealing with watershed management, habitat and fisheries restoration, and related issues. Many agencies, because of the multi-function

responsibilities will participate in more than one technical advisory committee. A few may participate in all of them.

- 3.8. **San Francisco Bay Area Technical Coordinating Committee.** The committee comprised of two or three representatives selected from each of the service-function technical coordinating committees to integrate the management plans of all the Bay Area agencies. Representatives of non-agency organizations (please see “IRWMP project participants” below) may be invited to participate. Agency committee members will define the process of compilation including format, schedules and ground rules for the service-function technical coordinating committees and its own committee to ensure process consistency and uniformity.

4. IRWMP PROJECT PARTICIPANTS

- 4.1. **Public agencies.** Public agencies, which have developed the management plans, are responsible to their respective electorates, and are devoting staff and financial assets to the process, will take the lead as described in “Approach to developing the IRWMP” below. These agencies will be the signatories to this letter of mutual understandings.
- 4.2. **Contributing entities.** Other entities, such as environmental groups, are considered valuable contributors and will continue to be invited and encouraged to participate.
- 4.3. **Regulatory agencies.** These agencies, such as the Bay Area Regional Water Quality Control Board, will be invited to participate. If they cannot participate in work meetings, representatives of the technical coordinating committees will keep them advised of project progress and seek guidance as may be needed.
- 4.4. **California Bay-Delta Authority.** Staff from the Authority will be invited to provide advice and direction as appropriate and to serve as linkage between the Bay Area region and the California Bay-Delta Program.

5. MUTUAL UNDERSTANDINGS

5.1. Need for a San Francisco Bay Area IRWMP

- 5.1.1. To foster increased coordination, collaboration and communication between San Francisco Bay Area water-related agencies that may result in cost efficiencies and better service to the public.
- 5.1.2. Also, representatives of state resource agencies and state legislators have suggested that state grants and other funding criteria will involve some level of Integrated Regional Water Management Planning.

- 5.2. **Subject matter scope of the IRWMP.** The IRWMP will include, but may not necessarily be limited to, water supply, water quality, wastewater, recycled water, water conservation, stormwater/flood control, watershed planning and aquatic habitat

protection and restoration. It is acknowledged that the management plans of each individual public agency are based, in part, on appropriate land-use plans. Therefore, the resultant IRWMP will by design have incorporated the land-use plans and assumptions intrinsic to the respective water-related service function.

5.3. **Geographical scope of the IRWMP.** The San Francisco Bay Area for this is defined as the nine Bay Area counties – Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma – even though some areas of some counties and individual agencies may lay outside the San Francisco Bay Area Watershed.

5.4. **Approach to developing the IRWMP**

5.4.1. A reasonable approach towards developing the IRWMP is first for the agencies involved in an individual service function as defined above to create a technical coordinating committee whose members work together to compile their individual management plans to see where cooperative efforts could be employed. The document also would serve to identify needs and potential solutions for the service function and list projects that may qualify for funding under various state and federal grant and loan programs. Once compiled, the IRWMP will not supersede any individual agency’s management plan.

5.4.2. The proposed forum for this regional planning effort is the associations, coalitions, or other entities to which the majority belong, inviting others agencies and entities to participate in the effort. As mentioned above, those associations include the Bay Area Water Agencies Coalition (BAWAC) for water supply and quality; Bay Area Clean Water Agencies (BACWA) for wastewater and recycled water; and Bay Area Stormwater Management Agencies Association (BASMAA) for stormwater. An appropriate entity would lead efforts to compile plans dealing with watershed management and habitat and fisheries restoration.

5.4.3. The service-function technical coordinating committees also should refer to any already completed and on going compilation efforts such as the Bay Area Regional Water Recycling Program (BARWRP) and the Napa Salt Marsh Project for information and input.

5.4.4. Once there has been a compilation of plans for the separate, service-function areas, the San Francisco Bay Area Technical Coordinating Committee will place all the plans into one integrated document. As stated above in “definitions,” the first phase would be to list the plans “horizontally” within each service function across and among the responsible agencies. Then the plans would be categorized and linked “vertically” to identify where existing linkages occur among plans of separate service functions and to see where plans of separate service functions may further interrelate, e.g. wastewater treatment and water recycling or habitat restoration.

5.4.5. Attached is a diagram that illustrates the process described above.

- 5.5. **Decision-making.** Consensus will be sought in the event the need for a decision arises.
- 5.6. **Approval of the IRWMP.** Because the IRWMP is the technical work product of a collaborative effort among agencies with separate and distinct governance structures, the IRWMP is not subject to approval by any one agency, group, organization or entity.
- 5.7. **Additional efforts.** This Letter does not address any Bay Area regional action that may be taken by elected or appointed policymakers during or after the preparation of the IRWMP.
- 5.8. **Non-binding nature.** This document and participation in this IRWMP effort are non-binding, and in no way suggest that an agency may not continue its own planning and undertake efforts to secure project funding from any source. An agency may withdraw from participation at any time.
- 5.9. **Project development and/or funding priorities.** The IRWMP effort will not suggest any priority of project development or funding.
- 5.10. **Personnel and financial resources.** It is expected that agencies will contribute the personnel and financial resources necessary to develop the IRWMP. Should the assistance of one or more consultants be required, a separate cost-sharing letter will be prepared and signed by the agencies.
- 5.11. **Other on-going regional efforts.** Development of the IRWMP is separate from efforts of other organizations to develop water-related plans on a regional basis. These other plans include, but are not limited to, Water Bond Coalition efforts, Department of Water Resources (DWR) Bulletin 160 development and California Bay-Delta Authority's regional plans development and approach. As the IRWMP is developed, work products can be shared with these separate efforts to provide them with the most current information.
- 5.12. **Reports and communications.** Technical coordinating committees will regularly report on their progress to the agencies they represent and the associations or organizations to which they belong that are involved in the IRWMP process.
- 5.13. **Termination.** Because the IRWMP will require periodic review and updating for use into the future, it is envisioned that the joint efforts of those involved will be ongoing and in maintaining a living document. Thus this document will remain as a reflection of the understandings of the participants. As indicated, individual signatories of this Letter may terminate their involvement at any time.

6. SIGNATORIES TO THE LETTER OF MUTUAL UNDERSTANDINGS

We, the undersigned representatives of our respective agencies, acknowledge the above as our understanding of how the San Francisco Bay Area Integrated Regional Water Management Plan will be developed.



signature

Paul Piraino

printed name

Alameda County Water District

agency

_____ date



signature

Arthur R. Jensen

printed name

Bay Area Water Supply and Conservation Agency

agency

4/22/04

date



signature

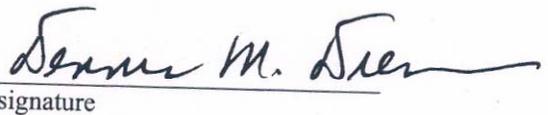
Walter J. Bishop

printed name

Contra Costa Water District

agency

_____ date



signature

Dennis Diemer

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East Bay Municipal Utility District

agency

6/17/04

date

Patricia S. Martel
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Patricia Martel
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San Francisco Public Utilities Commission
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5/11/04
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Stanley M. Williams
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mission Santa Clara Valley Water District
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Randy Poole
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Randy Poole
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Sonoma County Water Agency
agency

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Dale Myers
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Dale Myers
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Zone 7 Water Agency
agency

1-23-04
date

Approved as to Form
RICHARD E. WINNIE, County Counsel

By [Signature]

Eugene Y. Leong
signature

Eugene Y. Leong
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Association of Bay Area Governments
agency

July 1, 2004
date

J. Kelly

signature

James Kelly
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Bay Area Clean Water Agencies
agency

December 19, 2003
date

David Okita
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David Okita
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Solano County Water Agency
agency

May 13, 2004
date

Paul Helliker
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Paul Helliker
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Marin Municipal Water District
agency

8/31/04
date

Signature
Maurice Shiu

Maurice Shiu
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Contra Costa County Flood Control and
Water Conservation District - Agency

7/28/04
Date

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Phil Bobel

Phil Bobel, Lorrie Gervin
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Santa Clara Basin Watershed
Management Initiative
contributing entity

November 19, 2004
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Michael H. Kerns

North Bay Watershed Association
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COUNTY OF SONOMA
agency

2/6/04
date

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Michael N. O'Bryon

Michael N. O'Bryon
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City of Napa
agency

4/14/05
date

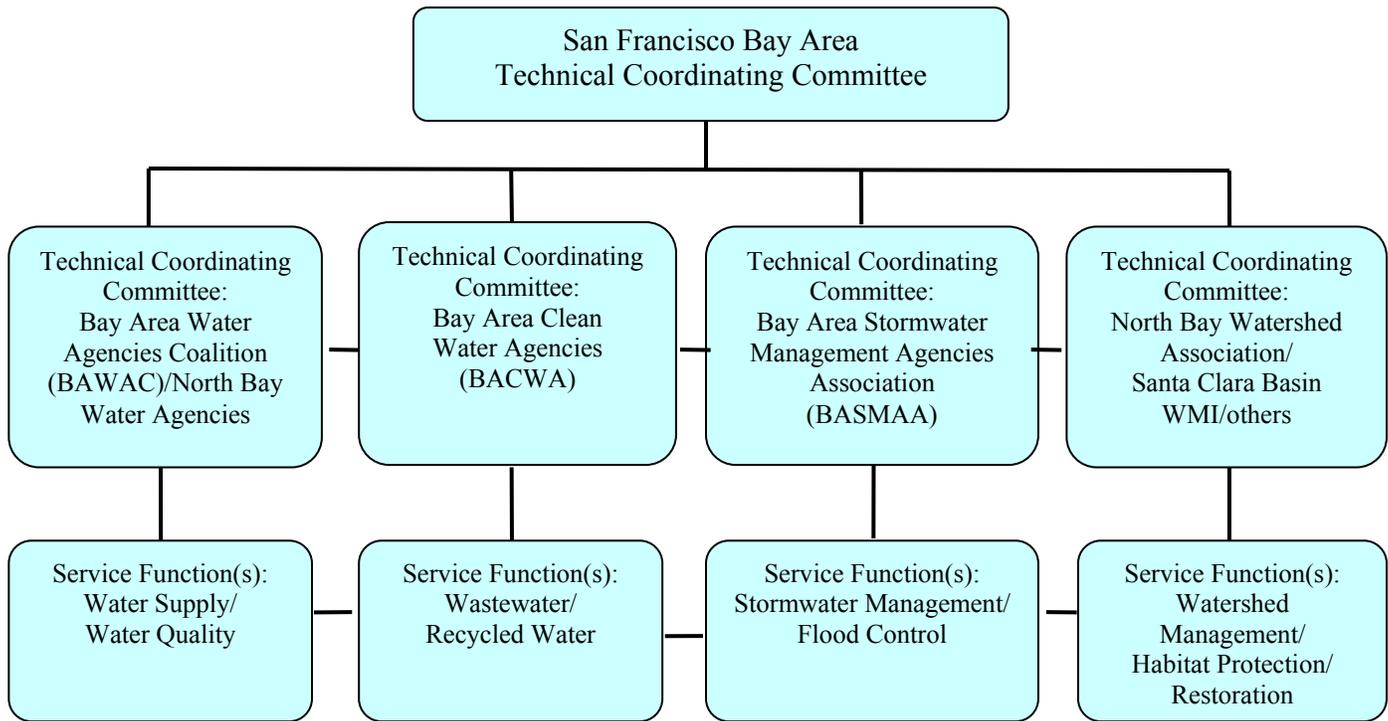
Samuel Schubert
signature

Samuel Schubert
printed name

State Coastal Conservancy
agency

5/9/05
date

**Coordination and Development of an
Integrated Regional Water Management Plan
for the San Francisco Bay Area**
November 25, 2003 (draft)



San Francisco Bay Area Technical Coordinating Committee Composition and Duties:

- Composed of two or three representatives from each of the service function technical coordinating committees. Representatives from organizations that are not public agencies may also be invited to participate.
- Defines the process for data compilation including format, schedule, and ground rules for the service function technical committees and for its own committee to ensure process consistency and uniformity.
- Compiles the plans for separate service functions into single, integrated document.
- Does not prioritize projects or approve the individual plans compiled through the data compilation effort.

Organization and Association Duties (BAWAC, BACWA, BASMAA, other organization, etc.):

- Provides regional forum for compilation of individual agency service function plans into regional service function plans.
- Invites agencies that are not members to participate in the data compilation effort.
- Forms service function technical coordinating committees.

Technical Coordinating Committee Composition and Duties:

- Composed of representatives from each agency participating in the IRWMP effort in an individual service function. Many agencies will participate in more than one committee; some will participate in all of them.
- Representatives from organizations that are not public agencies may be invited to participate as interested parties.
- Compiles and integrates individual agencies plans relating to a specific service function. The compilation efforts should refer to existing compilation efforts such as the Bay Area Regional Water Recycling Program study.