

## Notice of Public Meeting

### COORDINATING COMMITTEE REGULAR BUSINESS MEETING

**NOTE CHANGE OF DATE**

**Date:** Tuesday, July 11, 2017

**Time:** 10:00 am - Noon

**Location:** Solano County Water Agency, 810 Vaca Valley Parkway, Suite 203, Vacaville, CA 95688

**Call-in number:** 800-510-5879

**Guest Code:** 385498

#### AGENDA

1. **Call Meeting to Order and Introductions** –Silke, Chair
2. **\*Ratify transfer of Chair position to Yolo** – Silke to Sabatini
3. **\*Approve Consent Agenda** – Sabatini
  - a. **Approve Today's Agenda** \*\*To add an item to the agenda, see note below
  - b. **Approve Minutes for May 10 Regular Meeting in Napa**
  - c. **Financial Report, YCRCD**
  - d. **Coordinating Committee Financial Report, SCWA**
4. **\*\*\* Public Comment:** This is time reserved for the public to address the Coordinating Committee on matters not on the agenda
5. **Discuss and Approve 2017-18 Annual Work Plan** - all
6. **Discuss and Approve 2017-18 Annual Budget** – all
7. **Updates and Reports**
  - a. **DWR** - Arnold
  - b. **Brownfield Project** – McCord and Dolan
  - c. **Yolo County Stormwater Resources Plan** – Sicke
  - d. **DWR-DACI Grant** – Burdick
  - e. **Westside IRWM Project Status Review** - Wrynski
8. **Small Grant Presentation – Goats Rue Control and Quagga Mussel Boat, East Lake and West Lake RCDs** – Ruttan
9. **\*Determine Sponsorship or Promotion Approach to Delta Conservancy Grant** -
10. **\*Discuss and Take Action on Update of Westside Sac IRWMP to Prop-1 Standards** - Sabatini
11. **CC Member Reports, Regional Activities and Updates** – all
12. **Confirm Next Meeting Date and Location:** Wednesday, September 13th, 10:00 am, Yolo County.
13. **Adjourn**

\*Indicates Action Item

\*\* Consideration of items not on the posted agenda: items must fit one of the following categories: 1) a majority determination that an emergency (as defined by the Brown Act) exists; or 2) a three-fourths vote by Coordinating Committee members present that the need to take action arose subsequent to the agenda being posted.



**SOLANO COUNTY**  
**WATER AGENCY**



\*\*\* Members of the public may address any subject that is not otherwise on the agenda during Public Comment. Reasonable time limits will be imposed.

I declare under penalty of perjury that the foregoing was posted prior to 10 am on May 7th, 2017 on the door of the Napa County Flood Control and Water Conservation District, 801 First St., Napa, CA 94559.

Chris Silke \_\_\_\_\_ Date \_\_\_\_\_



**SOLANO COUNTY**  
**WATER AGENCY**





**REGULAR BUSINESS MEETING MINUTES**

**WESTSIDE Sac IRWM Coordinating Committee**

**DATE:** May 10, 2017    **SCHEDULED TIME:** 10:00 AM – Noon PM

**LOCATION:** Napa County Flood Control and Water Conservation District, 804 First St., Napa, CA 94559

**Coordinating Committee Members Attending:**

County		Representative		Alternate
Lake	✓	Will Evans, Deputy Dir, Lake Cty DWR		Phil Moy, Director, Lake Cty DWR
Napa	✓	Chris Silke, County of Napa – Chair		Jeff Sharp, Napa Cty Flood Control
Solano	✓	Chris Lee, SCWA (phone)		Sabrina Colias, SCWA
Yolo		Elisa Sabatini, Water Res. Assn, phone	✓	Max Stevenson, YFCWCD (phone)

**Others Present:**

Brad Arnold – Liaison Dept. of Water Resources (DWR); Paul Wells – DWR North Central Regional Office, Div. of IRWM; Beckye Stanton – Grants Program Manager, Delta Conservancy; Katie Burdick – Burdick and Co.; JoAnna Lessard – Cramer Fish Sciences; Sherri Norris – California Indian Environmental Alliance, representing the Elam Pomo Colony of Native Americans; Jeanette Wrynski – Yolo County Resource Conservation District - Administrative Coordinator for Westside CC.

- Call Meeting to Order and Introductions.** The meeting was called to order at 10:07 a.m. by Chair Silke. He called for self-introductions.
- Approve Consent Agenda.** ACTION: Approve the Consent Agenda; MOTION, Evans; SECOND, Lee; AYES, Unanimous (Evans, Lee, Silke, Stevenson).
- Public comment.** Sherri Norris wanted to clarify that while she works for the California Indian Environmental Alliance, as she attends Westside Sac IRWM meetings she will be representing the Elam Pomo Indian Colony.
- DWR Report/Update.** Mr. Arnold introduced Mr. Paul Wells, new Regional Coordinator for IRWM in the North Central Regional Office. Mr. Wells shared that he was previously with the Water Board and has been in this position for 3 months. His work is tied with that of Bill Brewster’s group with the Sustainable Groundwater Management Act (SGMA) and one of their key purposes is to facilitate getting answers regarding DWR programs. Please refer to the information sheet provided by Mr. Arnold and attached to these minutes. He reviewed all of the topics listed, noting the California Urban Rivers Grant Program opportunity under the Natural Resources Agency and an updated Water Management Planning Tool on-line, with links provided.
- Brownfield Project Update:** Chair Silke explained that Dr. McCord could not attend the meeting but that he provided some information to report: The Brownfield Team is doing two Phase-1 Environmental Site Assessments this month. They are discussing the possibility of assessing the Lake Co. neighborhood of Anderson Springs, which has multiple mines on multiple parcels. They are also still pursuing (as backups) St. Johns Mine in Solano Co. (apparently owned by the City of Vallejo) and Bella Vista Mine in Napa (landowner seems to be out of the US more often than in it). They just completed an upgrade to the online mapping tool. After review they will publicize it. A memo on “institutional controls” still needs input from Napa County, which they are pursuing. He will then distribute the memo to the CC for review. They are also planning to meet with Lake Co. staff later in May to discuss area-wide planning. They could do the same with Napa Co. staff. After that they would do open/community outreach on area-wide planning in the fall. He will distribute an outreach plan to the CC soon.



**SOLANO COUNTY**  
**WATER AGENCY**



6. **Small Grant Program Report – Solano RCD.** The Project Manager was unable to attend the CC meeting so this report will be re-scheduled for the July meeting or later.
7. **Yolo County Stormwater Resources Plan and Westside IRWM Plan.** Ms. Wrynski reported that the Water Resources Assn. of Yolo County (WRA) applied for a DWR Stormwater Resource Planning (SRP) grant on behalf of the County of Yolo and was awarded \$325,000 with a total project value of \$690,000. Their process is underway, with Yolo County Flood Control and Water Conservation District (YCFWCWD) as the fiscal agent and grant administrator. Grant funds will primarily be used to develop a Stormwater Resources Management Plan and a Water Evaluation and Planning System (WEAP) model through the Stockholm Environment Institute. A SRP is required in order to access DWR implementation funding in 2018 and the SRP must become part of the Westside IRWM Plan. The working group is holding monthly meetings, with 3 completed to-date and plan completion scheduled for 6/2018. Goals, Objectives and Projects are being cross-walked with the IRWM ones that are compatible. New ones that are not in the IRWM Plan will be developed to be compatible with it. Ms. Kristin Sicke will provide regular updates to the CC. The SRP working group will not ask the CC to integrate the new plan into the Westside IRWM Plan until it does a required 5-year update, however, new information indicates that the entire Westside IRWM Plan will need to be updated for the Westside to be eligible to receive an award from the 2018 IRWM solicitation (not required by the time of grant submission).
8. **DWR Disadvantaged Community Grant Kick-off Update.** Ms. Katie Burdick, with JoAnna Lessard, provided a PowerPoint presentation outlining the project phases, the task list, and potential support services to be provided to Disadvantaged Communities (DACs) during the course of the project. The presentation is included at the end of these minutes. The scope of work, budget and schedule were submitted to DWR several weeks ago and a Letter of Commitment is expected within the next 3-4 weeks. Work should start within the month. A full team meeting of key participants has been held and a list of DACs developed. They continue to look for more DACs. A needs-assessment will occur during year/Phase-1 and the information from Phase I and II will inform the actions that will take place during the final phase. Needs assessments will take place June – August. If any new projects from these investigations can be included in the Westside Plan they will be submitted by/before the spring-2018 DWR Prop-1 solicitation. Ms. Norris commented that she will be working with a tribal team to see how the tribes want to be involved. There will be a related Technical Assistance Program for DACs through the State Water Resources Control Board (SWRCB) with additional Prop-1 funding to do design and permitting work for DACs with immediate water-related project needs. Contractors already engaged to do this work include the Rural Community Assistance Corporation (RCAC), California Rural Water Association (CRWA) and Environmental Justice Coalition for Water (EJCW). She requested a spot on the July agenda to update the CC and confirm DACs and the process.
9. **Delta Conservancy Prop-1 Grant Program.** Ms. Stanton provided a PowerPoint presentation on the upcoming grant solicitation, including recent updates to the program. She included information on the funding available, projects already funded and locations, schedule for Round 3, project types desired (Ecosystem Restoration and Enhancement, Water Quality, Water-Related Ag-Sustainability, and Planning Grants). The CC asked that Ms. Wrynski review the projects in the Plan to see which ones were in the appropriate geographic area and were eligible and provide that information to CC members. Please see the presentation included at the end of these minutes.
10. **Review and Discuss 2016-17 Annual Work Plan.** Mr. Stevenson guided the group through the checklist of the goals and objectives in the 2016-17 Annual Work Plan. Ms. Wrynski will spend time remaining in the fiscal year to conduct an assessment of project progress with variations from the prior effort, so the Work Plan review can



SOLANO COUNTY  
WATER AGENCY



be finalized at the July CC meeting. It was recommended that she focus on projects that were included in grant applications and the Small Grants Program. The draft review results are attached with these minutes.

11. **Review and Discuss Draft 2017-18 Annual Work Plan.** Ms. Wrynski provided the CC with a preliminary draft of a work plan for 2017-18. She suggested continuing some of the prior year's goals, recognizing their ongoing importance, and that she do a review of Section 6 of the IRWM Plan (Goals and Objectives) and suggest some additional goals and task for discussion and/or approval at the July meeting. All approved of this approach.
12. **CC Member Reports, Regional Activities and Updates.** No further reports were offered.
13. **Confirm Next Meeting Date and Location:** Wednesday, July 12<sup>th</sup>, 10:00 am, Solano County.  
(Solano → Yolo → Lake, → Napa)
14. **Adjourn** – the meeting was adjourned at 12:17 PM by Chair Silke.

**Minutes respectfully submitted by:** Jeanette Wrynski, YCRCD. Approved on \_\_\_\_\_, 2017 by the Westside Sac IWRMP Coordinating Committee.

By: \_\_\_\_\_  
Name, position



SOLANO COUNTY  
WATER AGENCY



YCRCD Budget - Westside Sac IRWMP Facilitation Support 2016-17

as of 6/30/17

Task	Item	Total Budget	Budget Shift	New Budget	Invoice #14	Invoice #15	Total Spent	Total Remaining
------	------	--------------	--------------	------------	-------------	-------------	-------------	-----------------

**1 MEETING FACILITATION AND SUPPORT**

Development of meeting agendas, supporting materials, meeting preparation, Facilitation & support at meetings, Preparation of meeting summaries and meeting follow-up actions

Labor		\$25,254.00	\$880.00	\$26,134.00	\$7,057.50	\$5,248.00	\$25,774.00	\$360.00
-------	--	-------------	----------	-------------	------------	------------	-------------	----------

Materials		\$1,890.00	\$0.00	\$1,890.00	\$479.13	\$1,346.88	\$2,020.34	-\$130.34
-----------	--	------------	--------	------------	----------	------------	------------	-----------

Travel		\$448.00	\$0.00	\$448.00	\$93.63	\$64.74	\$348.45	\$99.56
--------	--	----------	--------	----------	---------	---------	----------	---------

Task Subtotal		\$27,592.00	\$880.00	\$28,472.00	\$7,630.26	\$6,659.62	\$28,142.79	\$329.22
---------------	--	-------------	----------	-------------	------------	------------	-------------	----------

**2 PUBLIC OUTREACH**

Support all outreach efforts by IRWM CC, Quarterly Newsletters

Labor		\$9,212.00	\$880.00	\$10,092.00	\$2,550.16	\$1,716.00	\$8,782.00	\$1,310.00
-------	--	------------	----------	-------------	------------	------------	------------	------------

Materials		\$960.00	\$0.00	\$960.00	\$240.00	\$240.00	\$960.00	\$0.00
-----------	--	----------	--------	----------	----------	----------	----------	--------

Task Subtotal		\$10,172.00	\$880.00	\$11,052.00	\$2,790.16	\$1,956.00	\$9,742.00	\$1,310.00
---------------	--	-------------	----------	-------------	------------	------------	------------	------------

**3 DATA MANAGEMENT**

Tracking Sheet #1 - IRWMP Project Progress, Tracking Sheet #2 - IRWMP Regional Progress, Tracking Sheet #3 - Funding Opportunities

Labor		\$16,465.00	-\$8,434.98	\$8,030.02	\$1,496.00	\$3,388.00	\$6,798.00	\$1,232.02
-------	--	-------------	-------------	------------	------------	------------	------------	------------

Task Subtotal		\$16,465.00	-\$8,434.98	\$8,030.02	\$1,496.00	\$3,388.00	\$6,798.00	\$1,232.02
---------------	--	-------------	-------------	------------	------------	------------	------------	------------

**4 FUNDING UPDATES**

Provide periodic funding updates at quarterly meetings

Labor		\$2,915.00	\$2,200.00	\$5,115.00	\$1,085.25	\$1,672.75	\$4,364.00	\$751.00
-------	--	------------	------------	------------	------------	------------	------------	----------

Task Subtotal		\$2,915.00	\$2,200.00	\$5,115.00	\$1,085.25	\$1,672.75	\$4,364.00	\$751.00
---------------	--	------------	------------	------------	------------	------------	------------	----------

**5 OTHER DUTIES AS NEEDED TO SUPPORT THE CC**

Support the CC in Administering the Westside IRWMP

Labor		\$8,900.00	\$4,474.98	\$13,374.98	\$1,980.00	\$4,180.00	\$12,034.00	\$1,340.98
-------	--	------------	------------	-------------	------------	------------	-------------	------------

Travel		\$201.60	\$0.00	\$201.60	\$0.00	\$0.00	\$0.00	\$201.60
--------	--	----------	--------	----------	--------	--------	--------	----------

Task Subtotal		\$9,101.60	\$4,474.98	\$13,576.58	\$1,980.00	\$4,180.00	\$12,034.00	\$1,542.58
---------------	--	------------	------------	-------------	------------	------------	-------------	------------

Subtotal		\$66,245.60	\$0.00	\$66,245.60	\$14,981.67	\$17,856.37	\$61,080.79	\$5,164.82
----------	--	-------------	--------	-------------	-------------	-------------	-------------	------------

Administration (15%)		\$524.94		\$524.94	\$121.91	\$247.74	\$499.32	\$25.62
----------------------	--	----------	--	----------	----------	----------	----------	---------

Grand Total		\$66,770.54	\$0.00	\$66,770.54	\$15,103.58	\$18,104.11	\$61,580.10	\$5,190.44
-------------	--	-------------	--------	-------------	-------------	-------------	-------------	------------

**SCHEDULE OF DEPOSITS RECEIVED - WESTSIDE IRWMP  
2110SC**

*Solano County Water Agency*

June 30, 2016

	SOLANO COUNTYWATER AGENCY	LAKE COUNTY WATER RESOURCES	NAPA COUNTY PUBLIC WORKS	WATER RESOURCES ASSOC OF YOLO	Total
<b>DEPOSIT</b>					
<b>Contributions</b>					
	<b>DATE</b>				
IRWMP NOV 2013		20,000.00	20,000.00	20,000.00	60,000.00
IRWMP NOV 2014		20,000.00	20,000.00	20,000.00	60,000.00
IRWMP BY2015-2016		20,000.00	20,000.00	20,000.00	60,000.00
IRWMP BY 2016-2017		20,000.00	20,000.00	20,000.00	60,000.00
SCWA UNFUNDED CONTRIBUTION 2013	20,000.00				20,000.00
SCWA UNFUNDED CONTRIBUTION 2014	20,000.00				20,000.00
SCWA UNFUNDED CONTRIBUTION 2015/16	20,000.00				20,000.00
SCWA CONTRIBUTION 2016/17	20,000.00				20,000.00
					0.00
<b>Total Contributions</b>	<b>80,000.00</b>	<b>80,000.00</b>	<b>80,000.00</b>	<b>80,000.00</b>	<b>320,000.00</b>

	INVOICE DATE	INVOICE AMOUNT	INVOICE AMOUNT	INVOICE AMOUNT	INVOICE AMOUNT	INVOICE AMOUNT	INVOICE AMOUNT	INVOICE AMOUNT	INVOICE AMOUNT
<b>Expenditures</b>									
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ASMIN ASSISTANCE: SEP - DEC 2013	4/11/14	1	1,630.49	407.62	407.62	407.62	407.62	407.62	1,630.49
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ASMIN ASSISTANCE: JAN - MAR 2014	4/11/14	2	4,767.05	1,191.76	1,191.76	1,191.76	1,191.76	1,191.76	4,767.05
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ASMIN ASSISTANCE: APR - JUNE 2014	6/30/14	3	4,914.10	1,228.53	1,228.53	1,228.53	1,228.53	1,228.53	4,914.10
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ADMIN ASSISTANCE: JULY - SEPT 2014	10/8/14	4	2,523.39	630.85	630.85	630.85	630.85	630.85	2,523.39
MCCORD ENVIRONMENTAL, INC. - USEPA BROWNFIELDS PROGRAM-COALITION ASSESSMEN	12/3/14	24.01-1	4,560.00	1,140.00	1,140.00	1,140.00	1,140.00	1,140.00	4,560.00
MCCORD ENVIRONMENTAL, INC. - USEPA BROWNFIELDS PROGRAM-COALITION ASSESSMEN	1/7/15	24.01-2	3,800.00	950.00	950.00	950.00	950.00	950.00	3,800.00
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ADMIN ASSISTANCE: OCT - DEC 2014	1/26/15	5	4,731.46	1,182.87	1,182.87	1,182.87	1,182.87	1,182.87	4,731.46
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ADMIN ASSISTANCE: JAN - MAR 2015	5/8/15	6: 1.1.15 - 4.4.15	7,485.36	1,871.34	1,871.34	1,871.34	1,871.34	1,871.34	7,485.36
GOVERNMENT CONTRACT REGISTRATI - ELIGIBILITY FOR FEDERAL GRANTS	6/18/15	EPA GRANT 2015	600.00	150.00	150.00	150.00	150.00	150.00	600.00
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ADMIN ASSISTANCE: APR - JUN 2015	6/30/15	4.1.15 - 6.30.15	9,506.61	2,376.65	2,376.65	2,376.65	2,376.65	2,376.65	9,506.61
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ADMIN ASSISTANCE: JULY - SEPT 2015	10/15/15	7.1.15 - 9.30.15	7,413.05	1,853.26	1,853.26	1,853.26	1,853.26	1,853.26	7,413.05
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ADMIN ASSISTANCE: OCT - DEC 2015	1/11/16	10.1.15 - 12.31.15	10,666.76	2,666.69	2,666.69	2,666.69	2,666.69	2,666.69	10,666.76
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ADMIN ASSISTANCE: JAN - MAR 2016	5/13/16	1.1.16 - 3.31.16	12,003.18	3,000.79	3,000.79	3,000.80	3,000.80	3,000.80	12,003.18
CITY OF WINTERS - WESTSIDE SAC IRWMP SMALL GRANT PROGRAM	6/28/16	1	12,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	12,000.00
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ADMIN ASSISTANCE: APR - JUN 2016	6/30/16	11	18,517.14	4,629.29	4,629.29	4,629.29	4,629.28	4,629.28	18,517.15
CACHE CREEK CONSERVANCY - WESTSIDE SAC IRWMP SMALL GRANT PROGRAM-IMPLEMEN	7/30/16	582	9,490.34	2,372.58	2,372.59	2,372.59	2,372.59	2,372.59	9,490.34
BANK OF THE WEST - GO DADDY - RENEWAL	8/25/16	LEE JUL 2016	69.99	17.50	17.49	17.50	17.50	17.50	69.99
PUTAH CREEK COUNCIL - WESTSIDE SAC IRWMP SMALL GRANT - 2016 PUTAH CREEK FALL CLEANUP	10/18/16	2016 CREEK CLEANUP	2,500.00	625.00	625.00	625.00	625.00	625.00	2,500.00
LAKE COUNTY RESOURCE CONSERVAT - GOAT'S RUE NOXIOUS WEED MGT PROJECT - 9/11/16	12/31/16	1	5,428.38	1,357.10	1,357.10	1,357.10	1,357.10	1,357.10	5,428.38
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ADMIN ASSISTANCE: 10/1/16-12/31/16	1/3/17	13	11,241.97	2,810.49	2,810.49	2,810.49	2,810.49	2,810.49	11,241.97
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ADMIN ASSISTANCE: JULY - SEPT 2016	2/1/17	12	17,130.44	4,282.61	4,282.61	4,282.61	4,282.61	4,282.61	17,130.44
YOLO COUNTY RCD - WESTSIDE SAC IRWMP ADMIN ASSISTANCE: JAN - MAR 2017	4/21/17	14	15,103.58	3,775.90	3,775.90	3,775.90	3,775.90	3,775.90	15,103.60
<b>Yolo County RCD - Westside Sac IRWMP Admin Assistance: April - June 2017 not yet invoiced:</b>	6/30/17	15	18,104.11	4,526.03	4,526.03	4,526.03	4,526.03	4,526.03	18,104.11
<b>Total Expenditures</b>				<b>46,046.85</b>	<b>46,046.85</b>	<b>46,046.87</b>	<b>46,046.87</b>	<b>46,046.87</b>	<b>184,187.44</b>
<b>REMAINING BALANCE</b>				<b>33,953.15</b>	<b>33,953.15</b>	<b>33,953.13</b>	<b>33,953.13</b>	<b>33,953.13</b>	<b>135,812.56</b>



# Annual Work Plan 2017 – 2018

## Purpose of Work Plan

The purpose of this Work Plan is to state clearly the goals, objectives and projects the IRWM Coordinating Committee will focus on for the 2017 – 2018 Fiscal Year.

## Introduction and Background

This is the third Annual Work Plan for the Westside Sac IRWM Coordinating Committee (CC). As plan management grows and matures, the CC is now looking beyond basic governance, function and critical implementation activities. The CC intends to maintain its foundational activities and its commitment to the objectives and projects in progress while moving toward a broader examination of Plan Objectives by importance, urgency and area of focus. Activities during the coming fiscal year will include communicating with the public about plan activities and progress as well as the following:

## Goals and Objectives for 2017-18:

### Goal 1: Maintain a current, relevant Westside Sac IRWM Plan

Objective 1: Complete a timely review and update of the Westside Sac IRWM Plan to comply with 2016 standards.

Task 1: Determine budget limits and recruit an experienced, qualified consultant.

Task 2: Select and execute a consultant contract.

Objective 2: Update the existing plan to comply with 2016 Plan Standards from State Department of Water Resources.

Task 1: Work with consultant throughout the fiscal year to receive progress reports and review updated sections.

Task 2: Approve final updated plan in sufficient time to be eligible for DWR spring 2018 Prop 1 IRWM Implementation funding deadlines.



SOLANO COUNTY  
WATER AGENCY



# Annual Work Plan 2017 – 2018

## Goal 2: Increase focus on and funding opportunities for diverse objectives contained in the Plan

Objective 1: Support the implementation of the Sacramento River Funding Area Disadvantaged Community Involvement grant

Task 1: CC members provide information and cooperation with Phase I Identification and Assessment activities

Objective 2: Support the implementation of the EPA Brownfields Coalition Assessment Project

Task 1: CC members support Brownfields Team in coordinating with county agencies, staff and landowners for outreach and guidance.

Task 2: CC members support Brownfields Team with timely review and input on draft deliverables.

Objective 3: Support the completion of the Yolo County Stormwater Resources Plan.

Task 1: Receive regular updates from the Project Manager and provide input when requested.

**Objective 3: Select at least one habitat objective and project to promote for funding as opportunities arise.**

Task 1: Review and prioritize habitat objectives and projects

## Goal 3: Report to the public on the status of progress in implementing the Westside Sac IRWM Plan

Objective 1: Complete an assessment of individual project progress.

Task 1: Contact a subset of project proponents to acquire progress updates.

Task 2: Summarize progress of all projects sufficient for public reporting.

Objective 1: Complete an Annual Progress Report for public distribution.

Task 1: Develop articles and complete layout and production of annual report for printing and electronic distribution.



SOLANO COUNTY  
WATER AGENCY





# MEMO



**To:** Westside Sacramento Integrated  
Regional Water Management  
Coordinating Committee

**Date:** June 26, 2017

**Subject:** Report on existing institutional controls  
for acting on brownfields plans

**Stephen McCord, Ph.D., P.E.**

759 Bianco Court  
Davis, CA 95616

530-220-3165

[sam@mccenv.com](mailto:sam@mccenv.com)

## Overview

A brownfield site is defined by the United States Environmental Protection Agency (USEPA) as "...real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant." Brownfield sites may provide important advantages for developers and investors looking for desirable locations for industrial, commercial, residential, or other uses. Communities benefit because the redevelopment of brownfields sites can help bring new businesses, jobs and an improved tax base to areas where these sites have been underutilized and unproductive. Federal and state grant and loan programs are available to support brownfields site assessment and remediation to facilitate redevelopment.

Institutional controls consist of administrative measures to encourage or prevent specific activities. They provide the policy, legal backing, and procedural framework for acting on brownfields plans. Institutional controls are primarily administrative and/or legal mechanisms such as government policy controls, proprietary controls, enforcement or permit mechanisms, and informational devices. These controls serve to identify potential public or environmental health threats, and protect from these threats categorically, until further site-specific assessment is completed. Once the nature and extent of the threat(s) are understood, the ICs can be used to ensure that those threats are below established risk standards.

Identifying existing institutional controls is only the first step in this process, the second requires a multi-level approach including knowledge of what each individual County and/or municipality is willing to do, such as rezoning an area or recording deed restrictions. Many proposed (or implemented) controls are constrained socially by the idea that they could lead to court cases contesting inappropriate 'taking' of private property rights by a government. However, the brownfields program managed by USEPA is mature, has withstood numerous suits, and matches well with California's interests in redevelopment of impaired properties.

The project team worked with each participating county's staff to identify and evaluate existing controls that address brownfields. This memo reports on existing institutional controls for brownfields, which supports several other project tasks:

- Incorporate Environmental Site Assessments (ESAs) into existing databases of mine-impacted and other contaminated sites.
- Reference and address existing controls in Site Cleanup Plans.
- Consider additional controls that would support regional planning such as: (a) evaluating construction projects for brownfield status and ESA records; (b) requiring a Phase I ESA for tax-foreclosed properties with observed environmental impairment prior to public auction, for which the cost would be recovered in the auction price; and (c) updating county-wide hazardous sites maps used by local permitting agencies.
- Survey county staff to report on impacts of implemented institutional controls.

## Existing Institutional Controls

Institutional controls take many forms and may even be applied without being acknowledged as formal controls. The description in this section scales from broader to site-specific applications.

Institutional controls in their broadest sense include one or more combinations of the following:

- A deed restriction or other instrument requiring that unrestricted access to mine features be prevented (implemented through posting signs, and installing and maintaining gates).
- A deed restriction or other requirement to prevent disturbing inactive mine features for documented sites, including mine waste piles (including overburden, waste rock, and tailings), processing areas such as furnaces and retorts, without first assessing potential chemical threats.
- A general requirement in the county or municipal code that all mine waste areas be maintained in such a manner as to prevent erosion (for example, by diverting water around the area, and vegetating and stabilizing topsoil).

More specifically, typical controls relevant for brownfield site cleanup plans include the following practices and requirements already in use throughout California:

- Drilling permits
- Air quality permits
- Biological assessments
- Building permits
- Grading plans and permits
- Stormwater plans and permits
- Transportation plans (hazardous waste disposal)
- Health and safety plans
- Zoning restrictions
- Noise and traffic (probably addressed in various county ordinances)

These controls are typically applied on individual sites in urban settings, on a case-by-case basis, and only when environmental contamination is documented and its risk established. Because the mining legacy is widespread, mine wastes are better suited to programmatic level screening, and

then site-specific analysis. Once the site-specific conditions are understood, site controls can be applied to address the nature and extent of the environmental impacts at the brownfields site.

These controls may or may not be applied in settings where the land management agency is not aware of the risks, or where the coordination between agencies is not complete. Conversely, in some cases, agencies are so accustomed to these kinds of impacts, they fail to fully evaluate the potential for risks.

In terms of that evaluation, controls should only be applied where the risk is believed to occur. That belief relies on local knowledge and understanding, and through the use of databases and data aggregating services. In particular:

- Tracking the presence or location of potential mine wastes.
- Documenting contaminated sites and their associated cleanup activities (e.g., in Geotracker/Envirostor databases).
- Reviewing land use changes (i.e., California Environmental Quality Act, development permit applications).

Land use control management systems are not the final word or substitute for historic knowledge and site-specific evaluation by qualified professionals<sup>1</sup>. The previous description is an inverted pyramid approach—site-specific controls are derived from the evaluation of the site from screening databases through to managing site conditions through restrictive covenants. At each step, controls are employed to protect public health and the environment from perceived threats and fully quantified risks. The following section describes how that assessment process is typically completed.

## Typical Site Assessment Process

Institutional controls designed to protect the public from potential brownfield's impacts take several forms. The first is simply a general awareness of sites or regions that may contain legacy contaminants that could impact human health and the environment. That awareness then focuses the evaluation on the potential for those impacts and creates a pathway to the consistent evaluation of that site and its particular risks.

Many municipalities already have an informal approach to this assessment process based on historic property uses and Phase I Environmental Site Assessments (ESAs) developed for a property transaction with a lender. However, in both cases, very old impacts, such as those from mercury mining and processing, as well as sites that have not had comprehensive Phase I and Phase II ESAs targeting these more unusual contaminants, are simply not adequately evaluated. The current approach is also unlikely to identify cross-jurisdictional mercury transport issues that these brownfields present.

The typical steps in a traditional property assessment for a lender, parallel those used to identify brownfield sites in pre-Phase I Site Inventory Screenings:

---

<sup>1</sup> ITRC (Interstate Technology & Regulatory Council) (2008). An Overview of Land Use Control Management Systems. BRNFLD-3. Washington, D.C.: Interstate Technology & Regulatory Council, Brownfields Team. [www.itrcweb.org](http://www.itrcweb.org). 145 pp.

- Phase I ESAs to help identify potential contaminants on a site as well as recommending clean up options. They generally involve site inspections and records searches. The Phase I ESA conducted in accordance with ASTM 1527-13 prior to purchase of a property generally fulfills the “All Appropriate Inquiry” requirement, a crucial step in protecting a future landowner’s liability with respect to contamination.
- Phase II ESAs to provide a more detailed analysis of site conditions, the cleanup required per industry standards, and any follow-up monitoring of the site post-cleanup.

But the Phase I ESA itself does not substitute for a focused assessment of its historic mining activities, nor is it an effective explanation of the need for a comprehensive approach by the land use agency (County or municipality) as identified below<sup>2</sup>. County and local governments have specific roles as they relate to historic mine wastes, but often lack the cross-agency and cross-discipline communication of the potential risks associated with these sites. In many cases because of the lack of a coherent and comprehensive database, they simply do not know that a threat exists. In smaller communities, these roles may be consolidated, but the overall management is similar.

## Common Roles in Local Governments

This section summarizes common roles for municipal governments in the region, insofar as they relate to identifying and controlling contamination associated with brownfields.

- **Administrator** Managing projects, recruiting business, planning, and reaching out to the community.
- **Economic Development Department** Managing projects, recruiting businesses, identifying redevelopment sites, marketing, hiring consultants, controlling Community Development Block Grant funding, conducting feasibility analyses, developing of financial incentive packages, and gathering research and statistics.
- **Planning Department** Managing development projects, land-use planning, identifying potential risk sites, managing brownfields databases, providing technical assistance, hiring consultants, reaching out to the public, education, development planning, negotiating with property owners, and ensuring compliance with comprehensive landuse planning and zoning regulations.
- **Public Works Department** Coordinating local government-owned brownfields redevelopments, managing environmental contracts, planning infrastructure, maintaining properties, facilities, and labor, and reusing local government-owned brownfields.
- **Environmental/Solid Waste Department** Administering projects, overseeing sites, developing cleanup standards, approving remedial action plans, remediation planning, monitoring site prioritization, developing technical and regulatory material to assist potential brownfields customers, stormwater planning, reaching out to the community, supervising developer activities, ensuring compliance with waste regulations, and coordinating site materials removal.

---

<sup>2</sup> Adapted from [http://www.in.gov/ifa/brownfields/files/ICMA\\_2014\\_Brownfields\\_Redevelopment\\_Guide.pdf](http://www.in.gov/ifa/brownfields/files/ICMA_2014_Brownfields_Redevelopment_Guide.pdf).

- **Housing Department** Reaching out to the community, marketing, redeveloping residential property, and promoting public housing development.
- **Public Safety Department** Reaching out to the community, identifying risk sites, providing public safety during redevelopment, and providing fire safety.
- **Engineering Department** Conducting or overseeing Phase I and Phase II ESAs, managing environmental contracts, and designing construction and infrastructure projects.
- **Transportation Department** Providing transportation planning around the brownfields site, providing traffic control at the site during remedial activities, encouraging the development of an intermodal transportation center, administering Transportation Efficiency Act for the 21st Century projects, and coordinating with state departments of transportation.
- **Health and Human Services Department** Conducting site sampling plans, coordinating with state and federal health departments, ensuring compliance with public health codes during and after redevelopment, and developing the workforce.
- **Parks and Recreation Department** Creating and maintaining greenways, parks, recreational areas, and waterways, coordinating with community groups, and parks programming.
- **Legal Department** Providing legal advice, negotiating contracts, liability consulting, and designing prospective purchaser agreements.

In summary, the needs and roles for County and municipal planning associated with brownfields can be complex, but fall within the normal scope of their duties. The challenge of brownfields is to endure sufficient initial assessment and prioritization to ensure that the complexities of their contaminants and their potential effects on human health and the environment are not accidentally overlooked.

## Summary of Existing Institutional Controls

The following summaries and references are related to existing county General Plans and associated policies, regional programs, and other relevant citations that *function* as ICs for chemical impacts, mining, and associated issues that could include brownfield and historic mine site.

### Solano County

#### Solano County General Plan

The Solano County General Plan<sup>3</sup> includes the following sections related to brownfields:

**RS.P-34:** Ensure that mineral extraction operations are performed in a manner compatible with land uses on the site and surrounding area and do not adversely affect the environment.

---

<sup>3</sup> <http://www.co.solano.ca.us/civicax/filebank/blobdload.aspx?BlobID=6494>



At the end of such operations, ensure that the site is restored to conform with Surface Mining and Reclamation Act requirements and to a use compatible with surrounding land uses. (Solano County General Plan, 2008; pp. RS-35)

“Most of the mercury mines are clustered in or near the Sulfur Springs Mountain Range east of the City of Vallejo. Mercury mines include the St. Johns Mine, Hastings Mine, Borges Prospect, Brownlie Property, Vallejo, and one unnamed location.” (Solano County General Plan, 2008; pp. RS-32)

Surface Water Resources Solano County has a variety of surface water resources including creeks, drainages, sloughs, marshes, and extensive infrastructure for delivering water for irrigation and municipal uses. Through the Solano Project, Putah Creek and Lake Berryessa provide the majority of the county’s surface water for urban and agricultural consumption. The Suisun Marsh and other marshlands located along the Bay-Delta play an important role in maintaining and protecting water quality for human and natural communities. Intact riparian corridors are also important resources in the county for the protection of water quality in urban and rural areas. Even so, many of the county’s water bodies have been identified by federal and state agencies as not meeting mandated water quality standards for total maximum daily loads (TMDLs) of certain pollutants. Of particular concern are the water bodies with high levels of pesticide (diazinon), Polychlorinated biphenyls (PCB), and mercury pollutants. (Solano County General Plan, 2008; pp. RS-72)

Mines with mercury producing ore are located in the Sulfur Springs Mountain Range east of the City of Vallejo. Human exposure most often occurs through consumption of fish that has been exposed to methyl mercury. (Solano County General Plan, 2008; pp. HS-58)

Brownfields are properties that are contaminated, or thought to be contaminated. Many are located in urban areas and are underused because of perceived remediation costs and liability concerns. Redeveloping brownfield properties optimizes the use of existing infrastructure, saving tax dollars and protecting natural resources. It also preserves agricultural and green spaces by slowing their conversion to residential, commercial, and industrial uses. Solano County maintains a list of all of the approximately 500 brownfield sites located within the county and works with fed. (Solano County General Plan, 2008; pp. HS-59)

**HS.P-27:** Work to reduce the health risks associated with naturally occurring hazardous materials such as radon, asbestos, or mercury. (Solano County General Plan, 2008; pp. HS-62)

**HS.I-35:** Continue to support public education programs regarding health risks associated with naturally occurring hazardous materials such as asbestos, radon, or mercury. (Solano County General Plan, 2008; pp. HS-63)

Mercury is a chemical element found in Solano County as a result of both natural processes and human activities. Natural sources of mercury include volcanoes, hot springs, and natural mercury deposits. Sources related to human activities include coal combustion and certain industrial and mining activities. Mines with mercury producing ore are located in the Sulfur Springs Mountain Range east of the City of Vallejo. Human exposure most often occurs through consumption of fish that has been exposed to methyl mercury. (Solano County General Plan, 2008; pp. HS-58)

## Napa County

### Napa County Regional Park and Open Space District

The Napa County Regional Park and Open Space District 2012 Master Plan Update<sup>4</sup> includes the following sections related to brownfields:

#### **C.8 Oat Hill Mine Trail Interpretive Path Development**

**Next Steps:** Evaluate the potential to interpret the mercury mining history of the area when deciding whether to open the Oat Hill Mine Trail north of Aetna Springs.

“One reason is that the road travels through the middle of three former Mercury mines. These mines need to be secured and cleaned up before public access can be safely allowed. The District has partnered with the non-profit organization Tuleyome on a grant funded cleanup of two of the mine sites and has agreed to be the lead agency under the California Environmental Quality Act for this project.

**Next Steps:** Continue to cooperate with the clean-up of the Twin Peaks and Corona Mines; upon completion of the clean-up, evaluate its effectiveness and decide whether to pursue opening the Oat Hill Mine Trail north. (Napa County Master Plan Update, 2012; pp. 12)

### Napa County General Plan

The Napa County General Plan<sup>5</sup> includes the following sections related to brownfields:

**Goal CON-7:** Identify and conserve areas containing significant mineral deposits for future use and promote the reasonable, safe, and orderly operation of mining and extraction and management activities, where environmental, aesthetic, and adjacent land use compatibility impacts can be adequately addressed. (Napa County General Plan, 2008; pp. CON-25)

**Policy CON-39:** Resource extraction activities (e.g., mining and geothermal development) shall fully address environmental implications, such as air pollution, visual distractions, siltation of nearby streams, increase in surface runoff, removal of underground water by pumping, increase in erosion or landslide hazard, disposal of chemical wastes, creation of impervious layers and surface compaction, extent of vegetation removal, and site rehabilitation procedures. (Napa County General Plan, 2008; pp. CON-33)

**Policy CON-40:** Encourage the ongoing reclamation of sand and gravel mining areas through the implementation of reclamation plans. In conformance with state law, all mining operations shall have up-to-date reclamation plans and adequate financial assurances to the satisfaction of the County. (Napa County General Plan, 2008; pp. CON-33)

**Policy CON-47:** The County shall comply with applicable Water Quality Control/Basin Plans as amended through the Total Maximum Daily Load (TMDL) process to improve water quality. In its efforts to comply, the following may be undertaken:

---

<sup>4</sup> <http://napaoutdoors.org/documents/master-plan-update-2012/>

<sup>5</sup> <http://www.countyofnapa.org/generalplan/>

g) Addressing effects related to past and current mining, grazing, and other activities to the extent feasible. (Napa County General Plan, 2008; pp. CON-38)

## Yolo County

### Yolo County General Plan

The Yolo County General Plan<sup>6</sup> includes the following sections related to brownfields:

**Action CO-A47** Ensure that mined areas are reclaimed to a usable condition that is readily adaptable for alternative land uses, such as agriculture, wildlife habitat, recreation, and groundwater management facilities. Responsibility: Parks and Resources Department (Policy CO-3.1) Timeframe: Ongoing (Yolo County General Plan, 2009; pp. CO-48)

**Policy CO-5.8** Support efforts to reduce the accumulation of methyl mercury in fish tissue in Cache Creek and the Delta, as well as the consumption of fish with high levels of methyl mercury. (Yolo County General Plan, 2009; pp. CO-71)

**Policy CO-5.24** Pursue funding to remediate historic mines and other sources of mercury contamination on the Cache Creek watershed. (Yolo County General Plan, 2009; pp. CO-72)

The Cache Creek Area Plan is comprised of the Off-Channel Mining Plan and the Cache Creek Resources Management Plan, which together regulate and protect the area and manage the Creek as an integrated system. It protects water supply and aquatic habitat from contamination associated with mining. This plan, last updated in 2002, focuses on regulating off channel aggregate mining, improving channel stability, reducing erosion, maintaining flood capacity and restoring habitats. (Yolo County General Plan, 2009; pps. CO-66 to 67)

**Policy CO-9.3** Pursue the establishment of dedicated state and federal funding sources to remediate mercury, in the various sources located in the upper Cache Creek watershed, in the sediments and waterways of both Cache Creek (including the Settling Basin) and the Yolo Bypass, and where it methylates in the Delta. (Yolo County General Plan, 2009; pp. CO-98)

**Policy CO-5.21** Encourage the use of water management strategies, biological remediation, and technology to address naturally occurring water quality problems such as boron, mercury, and arsenic. (Yolo County General Plan, 2009; pp. CO-72)

## Lake County

### Lake County General Plan

The Lake County General Plan<sup>7</sup> includes the following sections related to brownfields:

**Policy OSC-4.1** All mining operations shall be required to take precautions that prevent contamination from wastes or incidents related to the storage and disposal of hazardous

---

<sup>6</sup> <http://www.yolocounty.org/home/showdocument?id=14464>

<sup>7</sup> <http://www.co.lake.ca.us/Page3939.aspx>

materials, or general operating activity at the site. (Lake County General Plan, 2008; pp. 9-11)

## Tuleyome Mercury Mine Remediation Program

The Tuleyome Mercury Mine Remediation Program<sup>8</sup> includes the following objectives for its Corona Twin Peaks Mine Drainage Treatment Project, which would broadly apply to any mine site cleanup project that Tuleyome would support:

**Project objectives** are to (1) improve the effectiveness of existing mine drainage treatment systems for the Boiler House and Twin Peaks entrances [referred to as “adits”]; (2) minimize leaching and mobilization of nickel and acid drainage from the mined ore body through the Corona Drain Tunnel; and (3) address physical and chemical hazards on the site.

## State and Federal Controls

Public notifications (selected projects under the state’s Department of Toxic Substances Control or USEPA). Both agencies understand the technical and social issues associated with these sites. Agencies generally require project proponents to provide lists of applicable public agencies and adjacent parcels or parcels that might otherwise be impacted by project implementation. Examples might include non-adjacent parcels along a traffic path or down-wind/downstream of a project site. Public notification generally runs from 30 to 60 days depending on agency and project. Public notification is similarly required prior to a finding of no-further action (site closure) to ensure that applicable agencies such as building departments and the public are aware of the specifics of the finding. This is particularly important when a no-further action letter is prepared for a risk-based closure where institutional controls (land use covenants) or engineering controls (paving) may have been requirements for the determination.

Streambed alteration agreements by California Department of Fish and Wildlife, 401 Certifications by the Regional Water Quality Control Board, or US Army Corps of Engineers (ACOE) permits may be required if waterways are impacted. However, these agencies do not typically check the mining databases and few staff routinely deal with brownfields.

## Additional Institutional Control Options

The above summaries portray a high degree of understanding regarding mercury and mining, as well as complex natural and human impacts associated with both. However, it is clear that additional polices that could inform better understanding of brownfields and mercury-associated hazards specifically would be helpful. In this section, we consider additional ICs which would support regional brownfields planning, and assist municipalities in complying with California Environmental Quality Act as they: (a) evaluate construction projects for brownfield status and ESA records; (b) require Phase I ESAs for tax-foreclosed properties with observed environmental impairment prior to public auction, for which the cost would be recovered in the

---

<sup>8</sup> <http://tuleyome.org/projects/mercury-mine-remediation-program/>

auction price; and (c) update county-wide hazardous sites maps used by local permitting agencies.

## Model Policy Language

One means by which to identify potentially impacted sites is to help put into effect a more protective public policy. A sample code and plan language is provided as an illustration. The policy is intended to identify potential brownfields prior to completing a land use plan, and to effectively identify and evaluate suspected sites prior to ground disturbance. This policy statement, if adopted in some form, would represent an institutional control for brownfield-type sites in each county.

Natural springs and mineral bodies found in the Coastal Range and their tributaries can contain cinnabar or mercury. Mercury has several chemical forms, of which methylmercury is the most toxic to wildlife and humans, particularly during fetal development. In the majority of places, the concentrations are well below drinking water standards, but the mercury bioaccumulates and concentrates up the food chain in fish. Human exposure most often occurs through consumption of fish that has been exposed to methylmercury. Mines with mercury producing ore, their processing sites (mills), piles of waste material, and associated drainage are located in this region and have been abandoned or partly remediated.

Brownfields are properties that are contaminated, or thought to be contaminated. Many are located in areas that are underused because of perceived remediation costs and liability concerns. Redeveloping brownfield properties optimizes the use of existing infrastructure, saving tax dollars and protecting natural resources. It also preserves agricultural and green spaces by slowing their conversion to residential, commercial, and industrial uses. Brownfields, however, can be remediated such that they can be reused and become community assets again.

- I. New development should reuse brownfields sites first. In order to secure reuse, the agency should support the regional assessment of brownfield sites to understand the nature and extent of any contamination, and establish a prioritization program for cleanup and funding.
- II. Property transactions at sites that have had historic mining should assess for mercury and other heavy metal impacts.
- III. Prior to authorizing projects, agencies should examine
  - USGS ([ngmdb.usgs.gov/maps/topoview/viewer/#4/39.98/-100.06](http://ngmdb.usgs.gov/maps/topoview/viewer/#4/39.98/-100.06)),
  - CA Dept. of Conservation ([www.conservation.ca.gov/dmr](http://www.conservation.ca.gov/dmr)),
  - Geotracker ([geotracker.waterboards.ca.gov/](http://geotracker.waterboards.ca.gov/)) and
  - Envirostor ([www.envirostor.dtsc.ca.gov/public/](http://www.envirostor.dtsc.ca.gov/public/)).

to determine site history and potential threats or mitigation measures. Examples of site dangers that must be understood might include adits or other subsurface voids as well as runoff, slope stability and the presence of site contamination.

- IV. Agencies should examine title records for any proposed project site to understand if land use restrictions have been recorded by state of federal agencies
- V. In order to reduce the health risks associated with naturally occurring hazardous materials such as radon, asbestos, or mercury, the agency should seek support for public education programs regarding health risks associated with exposure, including fish consumption, to these chemicals.

### **Sample California Environmental Quality Act Language**

The following language could be added to the Hazards (or Geology) section of Municipal Code and/or County General Plan.

Historic mining and processing of minerals occurred throughout the Coast Range. Particular concerns over this legacy are the threats to public safety from decaying structures and open shafts and pits, as well as pollutants on site and released in air and water. In most cases these sites are suitable for reuse and redevelopment if their specific threats are properly assessed and addressed. Hazards include public health from chronic or acute contamination, and consumption of impacted fish: The Department of Public Health, Office of Environmental Health Hazards Assessment has issued fish consumption advisories ([www.oehha.ca.gov](http://www.oehha.ca.gov)).

In order to better understand the nature and extent of these potential threats, if the property has been identified in the U.S. Geologic Survey topographic map ([ngmdb.usgs.gov/maps/topoview/viewer/#4/39.98/-100.06](http://ngmdb.usgs.gov/maps/topoview/viewer/#4/39.98/-100.06)), and the California Department of Conservation ([www.conservation.ca.gov/dmr](http://www.conservation.ca.gov/dmr)) as a mine site, a Registered Geologist shall perform a site assessment to identify potential hazardous chemical and geologic threats. If such threats are determined to be significant, the agency will determine the appropriate mitigation.

### **Land Use Controls Tracking Tool**

To assist with cost-effective program development, the Interstate Technology & Regulatory Council has developed a downloadable tool ([institutionalcontrols.itrcweb.org/](http://institutionalcontrols.itrcweb.org/)) that can be used to document critical information about a brownfield site. This tool can help to create a lasting record of the site that includes the regulatory authority, details of the controls required, the responsibilities of all parties, a schedule for monitoring performance of the control, and much more relevant information. The tool generates an editable Long Term Stewardship Plan in Microsoft Word.

### **Guidance Manual for Landowners**

The Natural Resources Conservation Service ([www.nrcs.usda.gov/wps/portal/nrcs/site/ca/home/](http://www.nrcs.usda.gov/wps/portal/nrcs/site/ca/home/)) provides numerous publications on constructing features in a natural environment. Most such documents are focused on erosion control which would be applicable to mercury contaminated soils.

One regional example focused on mercury contamination is Santa Clara Valley Water District's Community Projects Review Unit's *Stream-bank Repair Guidance Manual for the Private*

*Landowner, Guadalupe and Alamos Creeks*<sup>9</sup>. The District prepared the manual to help landowners understand the mercury issues in their watershed, and to repair stream-banks that contain mining-legacy mercury. Use of the Manual does not imply responsibility, the Manual is not enforceable, nor does it imply participation in such projects by the District or other authorities. Thus, it is not an institutional control so much as a guide for landowners on how to physically control legacy pollution. The District also developed a mechanism for private landowners to document their contributions to reducing mercury in the watershed. The reporting form can be used to report mercury quantities removed from the watershed, which could be useful when developing policies, programs or projects for reducing mercury in the watershed.

---

<sup>9</sup> Weiss Associates (2005). Stream-bank Repair Guidance Manual for the Private Landowner, Guadalupe and Alamos Creeks. Prepared for Santa Clara Valley Water District.  
[http://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/TMDLs/guadalupe\\_river\\_mercury/GuidanceManualStream-bankRepair.pdf](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/guadalupe_river_mercury/GuidanceManualStream-bankRepair.pdf). 46 pp.