

# San Diego Regional Stormwater Copermittees Regional Program Planning Subcommittee

## *Meeting Notes - FINAL*

Chairperson Stephanie Gaines

| Date / Time  | Agenda Summary  |
|--|---|
| 01/19/2017<br>Start time: 1:00 PM<br>End time: 3:00 PM   | <ul style="list-style-type: none"> <li>Meeting Summary</li> <li>Old Business</li> <li>Regional Shared Costs Accounting</li> <li>Workgroup Updates</li> <li>Ad Hoc Committee Updates</li> <li>Report of Waste Discharge</li> </ul> |
| Location   |   |
| County of San Diego<br>5510 Overland Avenue, 4th Floor,<br>A-451, Large Conference Room<br>San Diego, CA 92123 |   |

| Voting Members in Attendance:<br>(one vote per watershed)   | Number of Voting Copermittees at this Meeting: 9   |   |
|---|--|---|
| <input checked="" type="checkbox"/> <i>Santa Margarita Watershed:</i><br>County of San Diego<br><b>Stephanie Gaines    Tracy Cline</b><br><b>Mark Stripp         JoAnn Weber</b><br><b>Joanna Wisniewska   Ruth de la Rosa</b><br><b>Nancy Richardson    Mike Watt</b><br><b>Jamie Milani</b> | <input checked="" type="checkbox"/> <i>Mission Bay Watershed:</i><br>City of San Diego<br><b>Andre Sonksen</b>     | <input checked="" type="checkbox"/> <i>Carlsbad Watershed:</i><br>City of San Marcos<br><b>Reed Thornberry</b>  |
| <input checked="" type="checkbox"/> <i>Los Peñasquitos Watershed:</i><br>City of Poway<br><b>Melody Rocco</b>   | <input checked="" type="checkbox"/> <i>San Dieguito Watershed:</i><br>City of Escondido<br><b>Helen Davies</b>     | <input checked="" type="checkbox"/> <i>San Luis Rey Watershed:</i><br>City of Oceanside<br><b>Justin Gamble</b> |
| <input checked="" type="checkbox"/> <i>San Diego River Watershed:</i><br>City of Santee<br><b>Cecilia Tipton</b>  | <input checked="" type="checkbox"/> <i>San Diego Bay Watershed:</i><br>City of Chula Vista<br><b>Boushra Salem</b> | <input checked="" type="checkbox"/> <i>Tijuana Watershed:</i><br>City of Imperial Beach<br><b>Chris Helmer</b>  |

| Non-Voting Members and Members of the Public in Attendance |   |                                     |  |                                     |   |
|--|---|-------------------------------------|--|-------------------------------------|---|
| <input checked="" type="checkbox"/>                        | City of Del Mar<br><b>Kelly Ogawa</b>                                 | <input checked="" type="checkbox"/> | City of Solana Beach<br><b>Francesca de Leon</b>                     | <input checked="" type="checkbox"/> | Port of San Diego<br><b>Stephanie Bauer</b>                     |
| <input checked="" type="checkbox"/>                        | City of Carlsbad<br><b>Tim Murphy</b>                                 | <input checked="" type="checkbox"/> | City of El Cajon<br><b>John Phillips</b>                             | <input checked="" type="checkbox"/> | City of Encinitas<br><b>Mayela Manasjan</b>                     |
| <input checked="" type="checkbox"/>                        | City of National City<br><b>John Quenzer</b><br><b>Kuna Muthusamy</b> | <input checked="" type="checkbox"/> | City of Vista<br><b>Cheryl Filar</b>                                 | <input checked="" type="checkbox"/> | City of Coronado<br><b>Jim Newton</b>                           |
| <input checked="" type="checkbox"/>                        | SD Co. Airport Authority<br><b>Richard Gilb</b>                       | <input checked="" type="checkbox"/> | City of La Mesa<br><b>Joe Kuhn</b>                                   | <input checked="" type="checkbox"/> | Secretary<br><b>Hilary Potter (Michael Baker International)</b> |
| <input checked="" type="checkbox"/>                        | Weston Solutions<br><b>Sheri Dister</b>                               | <input checked="" type="checkbox"/> | Larry Walker Associates<br><b>Paul Hartman</b><br><b>Karen Ashby</b> |                                     |   |

1    **1.     Call to Order**

2           Stephanie Gaines (County of San Diego) called the meeting to order.

3    **2.     Roll Call**

4           Stephanie completed roll call for voting members.

5    **3.     Time for public to speak on items not on the agenda**

6           No members of the public requested time to speak about items not on the agenda.

7    **4.     Meeting Summary from November 17, 2016**

8           The following changes were requested to the November 17, 2016, meeting summary:

- 9
  - Add last name “Rich” to Tijuana Watershed representative in attendance list.

10          **MOTION: Approve the November 17, 2016, meeting summary as amended.**

11          **(APPROVED)**

- 12
  - ◆ Moved by: Helen Davies (San Dieguito Watershed)

- 13
  - ◆ Seconded by: Andre Sonksen (Mission Bay Watershed)

- 14
  - ◆ Vote: 8-0 in favor

15           *Tijuana Watershed representative entered after this vote was held.*

16    **5.     Old Business**

17           This is a review of actions listed on the previous meeting summary to ensure actions are  
18           completed.

19           *Action Item 1: Send out a Doodle poll to arrange a PPS meeting to discuss the draft*  
20           *Investigative Order for trash.*

21           Stephanie sent the Doodle poll.

22           *Action Item 2: Complete and return the RFI form for Project Clean Water to Joanna*  
23           *Wisniewska, Stephanie Gaines, or Mark Stripp.*

24           Mark used either the submitted RFI forms or the existing information on Project  
25           Clean Water to prepare the new site for launch. If Copermittees want changes in  
26           the future, they will be informed through the tutorial how to make the changes.

27           *Action Item 3: Send out legislative update materials from the Policy and Permitting*  
28           *Subcommittee to the Copermittees.*

29           The legislative update materials were sent out.

1 **6. Regional Shared Costs Accounting**

2 ***FY 2015-16 Revised Rollover Requests***

3 There has been a proposed change to the rollover requests. Specifically, the unspent  
4 funds from the Education and Residential Sources Workgroup are no longer being  
5 requested for rollover. At the October 2016 PPS meeting, the motion passed to  
6 recommend approval to the Regional Management Committee (RMC) to carry over  
7 \$659,449 of unspent funds from FY 2015-16 to FY 2016-17 with \$207,880 for the  
8 Program Planning Subcommittee (PPS), \$63,075 for the ERS Workgroup, and \$388,994  
9 to the Land Development Workgroup. The RMC has not voted on this recommendation  
10 yet. The ERS Workgroup met a few weeks ago and determined that the rollover request  
11 was not necessary as they have ample funds to accomplish what is planned for FY 2016-  
12 17. With this revision, the total rollover request would be reduced to \$596,374 and the  
13 \$63,075 not requested by the ERS Workgroup could be refunded to the Copermittees.

14 ***MOTION: Recommend to the RMC to approve the total rollover request of \$596,374***  
15 ***unspent funds from FY 2015-16 to the FY 2016-17 budget, with \$207,380 to the***  
16 ***Program Planning Subcommittee and \$388,994 to the Land Development Workgroup.***  
17 ***(APPROVED)***

- 18 ♦ Moved by: Helen Davies (San Dieguito Watershed)
- 19 ♦ Seconded by: Boushra Salem (San Diego Bay Watershed)
- 20 ♦ Vote: 9-0 in favor

21 ***Proposed Credits toward FY 2016-17 Budget***

22 The remaining unspent budget from FY 2015-16, after accounting for the change in  
23 rollover requests from the previous item, is \$95,141. Accrued interest is \$56.92. This  
24 results in a credit due to the Copermittees, excluding the County of San Diego, of  
25 \$66,750.50.

26 ***MOTION: Recommend to the RMC to approve that the remaining unspent FY 2015-16***  
27 ***funds of \$66,750.50 be credited to the Copermittees' FY 2016-17 invoice. (APPROVED)***

- 28 ♦ Moved by: Reed Thornberry (Carlsbad Watershed)
- 29 ♦ Seconded by: Andre Sonksen (Mission Bay Watershed)
- 30 ♦ Vote: 9-0 in favor

31 **7. Workgroup Update: Education and Residential Source (ERS) Workgroup**

32 Stephanie shared that the ERS Workgroup is taking a different direction than previous  
33 years. The County can no longer be responsible for the resources to lead the workgroup.  
34 Therefore, the ERS Workgroup will need to use the rest of this fiscal year and next fiscal

1 year to determine the appropriate direction and level of effort for the Copermittees. A  
2 new point person has not been established yet. The group has had two small meetings  
3 to discuss the group transition. It is likely the workgroup will exist through the end of  
4 the current MS4 Permit cycle. A teleconference is scheduled for January 30 to make  
5 decisions within the workgroup. The workgroup does have a well-developed draft work  
6 plan that includes the watershed stewardship program, calendars, coloring books, and  
7 lots of outreach swag. If any Copermittees want outreach materials, they can contact  
8 Stephanie Gaines as the County is currently storing ample supplies of calendars and  
9 other materials, such as dustpans.

10 **8. Ad Hoc Committee Updates**

11 ***Annual Reporting Requirements***

12 This ad hoc committee met December 13, 2016, to discuss key issues, lessons learned,  
13 and other issues for consensus. Committee members provided brief status reports on  
14 watershed reporting and progress to Water Quality Improvement Plan (WQIP) goals.  
15 The committee discussed issues with the framework. Those who used the framework  
16 but made revisions during implementation did not make major changes. The committee  
17 also discussed whether to present data that was not collected during the 2015-16  
18 monitoring year in the annual report and agreed not to include it. The committee will  
19 continue meeting later in the year as it gets closer to the end of the next annual  
20 reporting cycle. Any Copermittees interested in participating in future meetings should  
21 contact Stephanie Gaines.

22 ***Regional Trash Study***

23 The Google Drive site link has been distributed and is in the agenda for today's PPS  
24 meeting. The Google Drive has all files for the trash studies being conducted in San  
25 Diego County, including the County-only study, regional study, and one being done in  
26 San Diego River through a Proposition 1 grant. The files are not currently protected in  
27 any way to prevent people from deleting or moving them.

28 On the Google Drive, the regional study folder has two folders: City of San Diego and  
29 Other (TO 13). The Other (TO 13) folder has subfolders for each jurisdiction with sites in  
30 the trash study. The Other (TO 13) folder also includes the schedule for the project,  
31 which shows when the next monitoring tasks will occur. Copermittees can monitor the  
32 schedule and the consultant's progress through the Google Drive. In each jurisdiction's  
33 folder, there are subfolders for encroachment permits, photographs of the initial  
34 installations, a quantitative monitoring folder with data for each site location, and a  
35 visual monitoring folder with PDF's of forms completed during fieldwork.

36 Tracy noted that several sites are clogged and may need maintenance from the  
37 responsible jurisdiction. The consultant is attempting to get out quickly to inspect the  
38 sites from heavy rains, but jurisdictions are encouraged to help.

1           **Regional Monitoring and Assessment Reporting**

2           This ad hoc committee has not met since the last PPS meeting. Joanna has had interest  
3           from several Copermittees to meet and discuss the data-sharing template for the next  
4           round of visual observations and monitoring for highest priority outfalls. After working  
5           one year with the template, some have identified potential improvements. The  
6           committee will also discuss the RMAR at the next meeting. Drafts of the watershed  
7           sections are due at the end of February. Joanna will send a Doodle poll to set a meeting  
8           for the end of January or beginning of February.

9           **9.       Workgroup Update: Land Development Workgroup (LDW)**

10          The LDW met this week. The next version of SDHM is nearly complete. Training will be  
11          available in March or April. Model BMP Design Manual updates are underway. A  
12          meeting has already been held to discuss how Copermittees modified the Model BMP  
13          Design Manual to create their jurisdictional manuals. The next meeting for the BMP  
14          Design Manual work effort is scheduled for February 16, 2017. Maintenance fact sheets,  
15          which are also part of the Model BMP Design Manual update, have been finalized and  
16          circulated. The BMP Design Manual Help Desk only received two submissions since the  
17          last update and both were re-directed to the appropriate jurisdiction. For the alternative  
18          compliance tools task, there will be a public workshop on February 15, 2017. The  
19          Effectiveness Assessment for HMP was submitted to the Regional Board on December 9,  
20          2016. If the Regional Board has comments, they are expected by the end of January. The  
21          LDW has also had a brief look at the new Project Clean Water website, which will have  
22          the same information as the previous site but be better organized and more secure.

23          **10.     Ad Hoc Committee Updates**

24          **Regional Storm Water Resource Plan Development**

25          The draft Storm Water Resource Plan (SWRP) was presented to the IRWM group on  
26          December 27 and included a list of about 40 projects. The SWRP was out for public  
27          comment from December 6 through December 23. Seventy-seven comments were  
28          received, including about 54 comments from the State Board. The ad hoc committee is  
29          addressing the comments now and will provide a response to comments table. The  
30          committee has also received a final draft of the SWRP from the consultant for review.  
31          Comments are due back to the consultant on February 3, 2017. The final SWRP is  
32          expected February 17, 2017. The SWRP will be submitted to the State no later than  
33          February 28, 2017. The SWRP will be re-presented to the IRWM group and should be  
34          adopted at their April 5, 2017 meeting.

35          **Project Clean Water Development**

36          This ad hoc committee has been working aggressively with the consultant to meet the  
37          scheduled site launch for the end of January 2017. A webinar was held last Friday where  
38          the consultant guided participants through the basic layout and functions of the new

1 site. Jurisdictions have provided comments, and those comments will be incorporated  
2 before the launch. Minor revisions can still be made after the launch. The consultant will  
3 provide training videos in mid-February, and Copermittees will get logins and be able to  
4 make changes themselves.

5 A new ad hoc committee will be created to focus on developing a file sharing feature in  
6 the back end of the site to allow Copermittees to coordinate better on live working files.  
7 Those interested should contact Stephanie Gaines, Mark Stripp, or Joanna Wisniewska.  
8 The new ad hoc committee will start in February or March.

9 **11. Report of Waste Discharge**

10 Paul and Karen led the discussion on the Report of Waste Discharge (ROWD).

11 Karen shared that, for complex projects, it is helpful to have established guiding  
12 principles to remind authors and reviewers where the document is headed and what is  
13 to be achieved. The consultant has suggested some guiding principles and is asking  
14 Copermittees to provide reactions or suggested revisions.

15 Karen explained that an obvious guiding principle is to be consistent with the ROWD  
16 minimum requirements in the MS4 Permit. Four or five key places in the Permit dictate  
17 what goes in the ROWD, but there is also latitude in the regulations for the ROWD  
18 content. The ROWD should provide the future vision for the program, past the term of  
19 the Permit. In the ROWD, care needs to be taken to prevent committing to programs  
20 that would be considered unfunded mandates. The ROWD also provides the opportunity  
21 for the three counties to coordinate. The structure of the ROWD is to be user friendly  
22 with an easy-to-read main document and full details in the technical appendices.

23 The ROWD should identify the program successes, any necessary program changes, and  
24 Permit language to support those. The consultant asked if all changes should be  
25 included in the ROWD with recommended Permit language or if only key issues should  
26 be included in a big picture type of summary. The Copermittees discussed the options  
27 and looked at what was done in previous years for the ROWD. They determined that  
28 different issues would require different treatment. Some may be easily addressed with  
29 recommended Permit language redlines; others may need more detailed explanation  
30 and discussion of concepts. Both approaches will be necessary for this ROWD. Critical  
31 messages or modifications should be emphasized in the main narrative of the ROWD,  
32 and other important changes should be included in attachments to the ROWD.  
33 Providing Permit language redlines on either type will be determined on a case-by-case  
34 basis.

35 Paul briefly explained the purpose of the draft technical memorandum that has been  
36 distributed to the Copermittees. The draft technical memorandum is not meant to  
37 become a final deliverable; it will remain in draft form. The draft technical  
38 memorandum summarizes feedback from a survey of the Copermittees and provides

1 ideas for modifications to the MS4 Permit. The draft technical memorandum is meant to  
2 help initiate parts of the ROWD. The Copermittees can provide feedback on the content  
3 of the draft technical memorandum, and that feedback will be incorporated in  
4 development of the ROWD.

5 Paul reviewed the outline for the ROWD. It will include an executive summary;  
6 introduction; WQIP status, evaluations, and proposed changes by watershed  
7 management area; JRMP evaluations and proposed changes by agency; recommended  
8 Permit modifications by provision; new regulations, such as the Trash Amendments;  
9 conclusions and recommendations; and, appendices, such as the RMAR, WQIP updates,  
10 JRMP updates, and BMP Design Manual.

11 Paul went through the schedule for the ROWD. The ROWD is due to the Regional Board  
12 by the end of December 2017. The target is to have the final ROWD done by the end of  
13 October to allow for a realistic signature period for the Copermittees. Individual parts of  
14 the ROWD will be distributed to the Copermittees for review on a staggered schedule.  
15 To meet the schedule, the Copermittees will need to follow the comment period  
16 deadlines for the individual sections. Jo Ann requested the consultant provide a simple  
17 table that lists the section, briefly describes what it addresses, and lists when comments  
18 are due back from the Copermittees. The watershed management workgroups should  
19 also be included in the table, without having to send watershed-specific items through  
20 the PPS or other regional workgroup. Paul will create the table, but the primary  
21 responsible parties and details for some items are still being determined. Specifically,  
22 wherever Copermittees or workgroups can provide redline Permit language, they are  
23 encouraged to do so. Also, portions of the ROWD that are the responsibility of the  
24 individual watersheds will be included in the final ROWD and drafts of those portions  
25 are necessary for the consultant to complete the related regional parts, but watersheds  
26 will be able to finalize their individual sections after submitting draft sections to the  
27 consultant.

28 Paul summarized key comments to be included in the ROWD for specific Permit  
29 provisions.

- 30 • Provision A.4
  - 31 ○ More thought and input is needed on how to address outcomes of
  - 32 analysis and non-compliance. Pollutants addressed in the WQIPs are in
  - 33 compliance because they are in the WQIPs. One option would be to
  - 34 identify persistence exceedances only on pollutants not addressed in
  - 35 the WQIPs, but explaining the non-listed pollutants and discussing
  - 36 persistent exceedances would need to be worded carefully. Ideally, this
  - 37 part of the ROWD would demonstrate that WQIPs are working;
  - 38 however, since they have just started the implementation of WQIPs it
  - 39 would be reasonable to expect analysis at this time may show the
  - 40 WQIPs are not fully working or having final successes yet.

- 1                   ○ Provision A.4 provides flexibility to some extent because of the ability to  
2                   modify strategies to address more pollutants. The flexibility may be  
3                   increased if when it can be proven there is no cause/contribute  
4                   occurring then updating the WQIP would not be required. Another  
5                   thought is if it can be demonstrated there is no impact to the beneficial  
6                   use even if there is an exceedance at an outfall, updating the WQIP  
7                   would not be required.
- 8                   ○ Potentially, based on the outcome of legal review, the ROWD may  
9                   propose a new definition for Maximum Extent Practicable.
- 10                  ● Provision B
- 11                   ○ Language could be modified to identify high priority water quality  
12                   constituents by watershed management area or by jurisdiction.
- 13                   ○ WQIP schedules could provide the mechanism or justification to modify  
14                   TMDL schedules. Central Valley has had many discussions on the  
15                   concept of final TMDL attainment dates, and their experiences and  
16                   discussion points are worth considering. There are varying legal  
17                   opinions to consider as well.
- 18                   ○ Requirements should be clarified for optional versus non-optional  
19                   strategies.
- 20                   ○ From discussions with Regional Board staff, they may support the  
21                   concept of coverage for a subset of the Priority Water Quality  
22                   Conditions as it relates to Provision B.3.c (receiving water limitations  
23                   pathway). The other concept was developing a goal based on a  
24                   condition related to a beneficial use, instead of goals for every  
25                   constituent that feeds into a beneficial use.
- 26                  ● Provision C
- 27                   ○ The key comment on Provision C is concerning the flexibility of NALs and  
28                   SALs in the context of WQIPs. It is expected this will be an uphill battle  
29                   with the Regional Board and that Orange County will have significant  
30                   input since they have had NALs and SALs for a while.
- 31                  ● Provision D
- 32                   ○ Copermittees who have been involved in monitoring are asked to  
33                   provide guidance on this section.
- 34                   ○ One thought is to reduce the analytical list based on persistent non-  
35                   detects. This could be done in the WQIP annual reports or in the ROWD  
36                   and could be done a regional or a watershed basis.

- 1                   ○ Outfall assessments are the largest ticket item in the monitoring  
2                   assessment. Issues such as frequency and relevance to WQIP goals and  
3                   assessments should be addressed.
- 4                   • Provision E
- 5                   ○ For development planning issues, more guidance is requested from the  
6                   Land Development Workgroup. The four-year timeframe seems  
7                   impractical and too short. If the timeframe could be extended, interim  
8                   mitigation would need to be provided. Nancy indicated the LDW and  
9                   BIA are working on these issues and should have information back to  
10                  the consultant by the end of March.
- 11                  ○ For existing development issues, the consultant is looking for a good  
12                  example of a residential program. Helen shared the City of Escondido  
13                  developed a program that would be compliant but questions if it is  
14                  effective and a good use of resources. Several Copermittees agreed that  
15                  the residential program should allow focus to be placed on violators and  
16                  not require everything to be covered everywhere every year. For all  
17                  existing development areas, the Copermittees would like to more  
18                  accurately define how inventory is created; inventories could include  
19                  only places that are problems. Literal reading of the recent Permit  
20                  language includes everything in the inventories. Paul stated that to  
21                  make this type of argument, data is necessary to demonstrate focusing  
22                  on violators is a better use of resources and expending resources on  
23                  good facilities is unnecessary. Cecilia suggested the inventories should  
24                  correlate with the priorities for the watersheds. If all metal sheeting  
25                  companies are targeted, but metals are not critical in the watershed,  
26                  then those resources could be better allocated to priority issues. As this  
27                  issue requires more discussion and guidance, Paul will set a separate  
28                  meeting for those interested. Jo Ann will reserve a room at the County  
29                  and have a conference line available.

30                  Copermittees are requested to provide thoughts on the initial key themes, which are  
31                  pulled from the 2011 ROWD. Any 2011 ROWD issues not yet resolved should be  
32                  continued, if applicable, in this ROWD. Those include simplified reporting and  
33                  streamlined, more meaningful assessment. Karen suggested another issue could be  
34                  bringing the Permit language to be more consistent with the overall Permit intent. For  
35                  instance, the overall intent is to have watershed priorities and focuses, which should  
36                  align with focusing program elements more towards pollutants of concern and high  
37                  priority constituents. The Permit language in many instances, however, has minimum  
38                  requirements to be instituted everywhere then additional efforts for high priority issues.  
39                  Paul suggested trying for more flexibility in the JRMPs that would allow the baseline to  
40                  shift lower, as well as higher as it currently is allowed. There is precedent in Los Angeles  
41                  to allow the JRMP baseline to move if there is an approve watershed plan. The Regional

1 Board may think they currently would allow that, but the Permit is not written to allow  
2 it. Jo Ann reminded that issues related to appeals on past permits need to be continued  
3 in the ROWD in order to preserve the appeals. For this, some jurisdictions may want  
4 separate appendices because not every jurisdiction may want to sign up with the other  
5 jurisdictions' appeal arguments.

6 **12. Announcements**

7 The Stormwater Capture Feasibility Study will soon be underway. A little more than  
8 \$28,000 was received through an IRWM planning grant. The draft award letter was  
9 received in December, and the final award letter is expected this month. Once the final  
10 award letter is received, work will begin. The County is welcoming partners to  
11 participate in this study. Those interested should contact Stephanie Gaines. Those who  
12 participate will enter into a separate agreement; this work effort will not be processed  
13 through the watershed budgets.

14

|   | <b>Action Item</b>   | <b>Responsible Party</b>      |
|---|--|-------------------------------|
| 1 | Send a Doodle poll to schedule a meeting for the Ad Hoc RMAR Committee to meet in January or February.   | Joanna Wisniewska             |
| 2 | For the ROWD review process, provide a simple table that lists the section, briefly describes what it addresses, and lists when comments are due back from the Copermittees. The watershed management workgroups should be included in the table, without having to send watershed-specific items through the PPS or other regional workgroup. | Paul Hartman                  |
| 3 | Set a meeting for interested Copermittees to discuss existing development issues for the ROWD.   | Paul Hartman and Jo Ann Weber |
| 4 | Contact Stephanie Gaines if interested in partnering with the County on the Stormwater Capture Feasibility Study.  | All Copermittees              |