

**Final
Meeting Summary**

**Santa Margarita River (SMR)
Watershed Nutrient Initiative Group Meeting
Thursday, June 7, 2012
10:00am – 3:00pm**

Location:

Rancho California Water District
2nd Floor Conference Room
42135 Winchester Road
Temecula, CA 92589-9017

Attendee List:

Name	Organization	E-mail
Sheri McPherson	County of San Diego	sheri.mcpherson@sdcounty.ca.gov
Michael Welch	Consultant	mwelch1@san.rr.com
Jo Ann Weber	County of San Diego	joann.weber@sdcounty.ca.gov
Jeff Marchand	Fallbrook PUD	jeff@fpud.com
Martha Sutula	SCCWRP	marthas@sccwrp.org
Mark Bonsavage	USMC Camp Pendleton	mark.bonsavage@usmc.mil
Con Kontaxis	Caltrans	Constantine_kontaxis@dot.ca.gov
Mike Shetler	County of Riverside	mshetler@rceo.org
Jason Uhley	RCFC&WCD	juhley@rcflood.org
Rich Williamson	Rancho California Water District (RCWD)	williamsonr@ranchowater.com
Pam Nelson	Sierra Club	Pamela05n@yahoo.com
Jeremy Jungreis	USMC Camp Pendleton	Jeremy.jungreis@usmc.mil
Denise Landstedt	RCWD	landstedt@ranchowater.com
Al Lau	Padre Dam MWD	alau@padre.org
Rachel Davenport	AMEC Environment & Infrastructure, Inc.	rachel.davenport@amec.com
Dave Ceppos	Center for Collaborative Policy, California State University Sacramento	dceppos@ccp.csus.edu
Via Telephone: Brittany Struck	National Marine Fisheries Service	
Via Telephone: Chuck Katz	U.S. Navy, Space and Naval Warfare Systems Center Pacific (SPAWAR)	

Meeting Materials:

- Meeting agenda
- February 23 and March 29 draft meeting summaries
- Revised Draft SMR Initiative Group letter to RWQCB
- Revised Final Draft SMR Initiative Group Charter
- Draft example stakeholder Memorandum of Understanding

- Revised management and monitoring questions governing the project work plan for the SMR and SMR estuary

Meeting Goals:

- Receive informational updates
- Track status of action items
- Make conditional decisions about the Final Draft SMR Initiative Group Charter, and interaction with the San Diego Regional Water Quality Control Board (RWQCB)
- Provide feedback on revised management and monitoring questions governing the project work plan for the SMR and SMR estuary

Action Items:

1. County of San Diego will recommend to the San Diego Integrated Regional Water Management (IRWM) Plan Workgroup to post their meeting minutes on their website (or possibly distribute via email) so that the SMR Initiative Group (and others) can stay aware of their outcomes. An answer is expected by June 12.
2. County of San Diego will inform the Initiative Group when the County of San Diego IRWM action plan is available.
3. USMC Camp Pendleton will send an invitation to Rancho California Water District (RCWD) for their Salt Nutrient Management Plan (SNMP) workshop and RCWD will distribute the invite to their IRWM group and to the County of San Diego.
4. Representatives from USMC Camp Pendleton, County of San Diego, Riverside County, and Riverside County Flood Control and Water Conservation District (RCFC&WCD) need to elevate the Conditionally Approved Charter to their management. They will attempt to receive approval by June 28th, prior to the next meeting.
 - a. During the week of 6/11/12, those entities will let the facilitator know whether they can obtain approval by the 28th.
5. The Draft letter to the RWQCB needs the following:
 - a. Upper management approval from the County of San Diego, expected prior to June 28th.
 - b. The facilitator will work logistically with RCFC&WCD for an electronic signature of Jason Uhley (proposed Chairperson for the Initiative Group).
 - c. The letter is anticipated to be mailed to the RWQCB on June 29th.
6. The Work Plan needs the following:
 - a. SCCWRP will update the Work Plan with the new questions and will plan a webinar to discuss management and monitoring questions for the Technical Advisory Committee (TAC) meeting
 - b. The facilitator will send out the version of management questions from the June 7, 2012 meeting to everyone
7. The Facilitator and the County of San Diego will consult with RCFC&WCD and draft a new schedule for meetings, considering a new day of the week/month.
8. The facilitator and Chairperson will start working on communication with potential Initiative Group Participants prior to the June 28th meeting to solidify organizations that want to be Participants in the process. A letter will be drafted and finalized on June 28th,

to be emailed to potential Participants to confirm their interest regularly attend Initiative Group meetings. The letter will also be sent to the IRWM group by RCWD

Introduction

Dave Ceppos (Facilitator, Center for Collaborative Policy) reviewed the meeting goals and agenda, and inquired whether anyone had changes. No changes or comments were noted.

Review of Meeting Summaries

Dave conducted a review of the prior meeting summaries from February 23, 2012 and March 29, 2012, and inquired whether anyone had changes. Editorial comments were received from the County of San Diego for both summaries and were reviewed and accepted by the Initiative Group. No other changes or comments were voiced and both meeting summaries were finalized and entered into the project record.

Review of March 29 Meeting Action Items

Dave Ceppos reviewed the status of the following action items from the March 29, 2012 meeting:

1. Review and provide comments re: February and March meeting summaries for approval at the April 26 meeting – Complete.
2. Discussion of proposal for Phase II grant in preparation for the solicitation for projects to be released in September – Included as part of the Prop 84 update.
3. Dave will add the following standing items to the meeting agenda: IRWM updates and SNMP integration with the TMDL – Included on agenda and will be included on a regular basis.
4. SNMP and TMDL process integration - Included as part of the Prop 84 update.
5. Revision of the Letter to the RWQCB – Complete.
6. Final Draft Charter and MOUs will be finalized at April meeting – The Charter is ready to be conditionally approved by the Group. The MOU is not ready yet.

Update of Proposition 84 status

Jo Ann Weber (County of San Diego) provided an update of the Phase I Proposition 84 status. Contracts between the County of San Diego and the County Water Authority and between the County of San Diego and RCWD have not been executed. However, the County of San Diego expressed willingness to continue funding through December 2012, as necessary, to support their vested interest in the Initiative Group process.

RCWD has executed their contract with the Department of Water Resources (DWR). The Phase II technical work plan is in process and may be available by September, the Project Solicitation Proposal for Phase II should be received from DWR by November, and proposals are expected to be due March 2013. RCWD is currently waiting for timelines from the DWR.

Updates on the Integrated Regional Water Management Plan Process

Sheri McPhearson (County of San Diego) and Michael Welch (Consultant) provided a status update on the San Diego IRWM. The workgroup meetings are half way complete and the plan is being updated. The RAC members are working on a governance structure for how members are replaced due to turnover and looking for additional funding and financing opportunities beyond

Proposition 84 funding. The County Water Authority has a draft agreement in place with the DWR and it is expected to be signed by June with contracts in place by August.

The regulatory workgroup works with the RWQCB for collaboration of mutual goals between the two organizations. The collaboration is prioritized to reassess the technical and scientific bases for Basin Plan objectives and to assess the appropriateness of Water Quality Objectives that may be seasonal or flow-based. The regulatory workgroup is being utilized as a guide for the IRWM process to parallel and assist with collaboration with the RWQCB in the following areas: better communication, basin planning issues, addressing 303(d)/TMDL water quality impairment, data management, restoration, and mitigation to result in more effective coordination of agencies for removal of invasive species. The County of San Diego will recommend to the regional workgroup that the stakeholder group meeting minutes should be posted on their website. An answer should be received by June 12.

Dave Gibson (San Diego RWQCB Executive Officer) supports collaboration so there is a link between the IRWM stakeholder process and the RWQCB's need for a better stakeholder process. The process will reflect the priorities of the RWQCB and allow the RWQCB to leverage funds through the stakeholder process to accomplish their priorities (some of the priorities are shared by the IRWM group and RWQCB). Phase I has money to support this and Phase II may as well. The RWQCB will need authorization from the California State Water Resources Control Board (SWRCB) and the stakeholders may need to support the RWQCB to the SWRCB. The IRWM can be the funding mechanism.

Ultimately, the work product (i.e. the action plan due in September as part of the overall workgroup report) and process from the current IRWM stakeholder group may provide a process for how that can be accomplished with the IRWM. The Initiative Group needs to be aware of when the action plan comes out.

Denise Landstedt (RWCD) provided a status update on the RCWD IRWM. A stakeholder meeting was conducted on April 11 to update grant status and future work. The next stakeholder meeting is July 11 where project nomination is expected. RCWD has signed an agreement with the DWR and is currently working on the initial progress report, due 60 days after grant execution. RCWD still needs to sign an agreement with the County of San Diego. The IRWM request for proposals from the local groundwater assistance grant will be coming up soon, based on the recommendations expected to be received from the DWR. RCWD is expecting to use grant money for the development of an approved groundwater management plan instead of for specific studies. Elsinore Murrieta Anza Resource Conservation District (EMARCD) will be submitting a separate grant for a groundwater study, but the local groundwater assistance grant process requires them to create a groundwater management plan. Anza is still in the data collection phase and is not ready for plan creation. AB 3030 provides guidelines for groundwater management plans for groundwater projects. At the moment, current documents will be combined as the basis for the groundwater management plan and the SNMP will be a parallel document.

Update on the RCWD Salt Nutrient Management Plan

Proposals have been received and will be reviewed and ranked during the week of 6/11/12 for consultant work on the RCWD Salt Nutrient Management Plan (SNMP). Interviews are expected the following week and the consultant will be announced around June 26, pending board approval. The notice to proceed will probably be out in August and the project is expected to be complete January, 2014 so that it may be incorporated into the IRWM update due June, 2014.

RCWD is pleased with the job ECWD has done as the lead for the Wine Country Sewer Project, which will be incorporated into the SNMP since sewer systems are critical to avoid long term use of the aquifer and to protect the groundwater basin. There may also be a benefit for boosting the local economy and protecting the aquifer. Although the sewer system will not solve all the salinity issues in the area, RCWD will develop additional strategies. The technical team will include Mike Welch and Geoscience.

USMC Camp Pendleton is in the process of finalizing their SNMP for the southern part of the Base and plan to hold a workshop with off-Base stakeholders, including the RWQCB, towards the end of August or early September 2012. Both SNMPs should be coordinated so the RWQCB accepts both and USMC Camp Pendleton would appreciate stakeholder input prior to submission. During the process, stakeholders should consider how to bridge the gap between guidance from the RWQCB and the basin plan amendment itself. USMC Camp Pendleton would like stakeholder input as to whether the SNMP should be the basis for a basin plan change since it will improve water quality and not increase degradation of water bodies. Representatives from USMC Camp Pendleton will send the invitation to RCWD and the County of San Diego for distribution to the IRWM work group.

SMR Stakeholder Group Final Draft Charter Discussion and Conditional Approval

All stakeholder group comments were due in May. Three dischargers provided comments and the prior version was sent out during the week prior to the current SMR stakeholder meeting. A well-attended webinar took place on June 4 to discuss the Draft Charter and additional comments were received and incorporated thereafter. The final draft was delivered one day prior to the current SMR stakeholder meeting. The following presents a summary of items discussed as part of the Charter:

Introduction:

Language was clarified to explicitly state activities covered under the Charter. Text was expanded to show that site-specific objectives (SSOs) and Total Maximum Daily Loads (TMDLs) may be potential outcomes of the process, to clarify that there are two separate TMDLS using the outcomes of the numeric nutrient endpoint (NNE) and SSO work, and to reflect that the outcome may be a basin plan amendment. Camp Pendleton provided an additional paragraph in the introduction to connect the estuary modeling work with the SMR modeling since the project covers both water bodies. The estuarine modeling team language needs to clarify that it is part of the TAC and is separate from Phase I funding. The assumption was made that these comments are placeholders and are included for the conditional approval. The term Estuary Modeling Team (EMT) doesn't need to be called out; it can just be TAC for estuary modeling (as discussed later on and clarified).

Section 2:

The recommendation was made to include language from the letter to the RWQCB describing what Phase I is and what future phases (including but not limited to Phase II) may include, since there may be additional phases. All stakeholders agreed and no other adjustments were made.

Rich Williamson (RCWD) is interested in whether the different management strategies used for the SNMP will work within the regulatory framework that will be developed for the main stem of the SMR. The Estuary is being modeled first because the data has been collected and USMC Camp Pendleton has funded the modeling. River modeling will depend on data availability. There is a chance things may not happen the way the stakeholders want or anticipate and they have all accepted that.

Section 3:

Participants have been defined as parties that have an interest in the project, pursuant to Section 4 of the Charter. In addition, the portion of the SMR watershed covered under Phase I was clarified as below Skinner Reservoir and Lake Vail.

Section 4:

The stakeholder process has been clarified as an open and transparent process that provides a logical method of decision-making. Dave proposed striking the definition of “public” since it was redundant to other definitions. The definition of a discharger was broadened from only the parties identified in the lagoon order to whoever holds a WDR. Dischargers with waivers are still dischargers and those with a right to discharge and should be included in the definition of discharger (i.e. agricultural). The steering committee will be comprised of those named in the lagoon order and potential dischargers that may be affected. National Pollutant Discharge Elimination System (NPDES) Permittees were also added to cover point source dischargers that do not have WDRs or waivers. The Initiative Group affirmed these changes. Dischargers were limited to those with a significant interest in the process and with the knowledge and resources to participate in meetings (this goes to the Participant definition). Any party that is a regular Participant in the Initiative Group as a Discharger may be part of the Steering Committee. The group agreed that the hierarchy set forth is reasonable - Dischargers are subject to additional requirements and so they are the decision-makers. The grant agreement was also more fully defined and the Initiative Group affirmed that as well.

The term “Technical Team” has been replaced with TAC. The TAC lead will be in regulatory subgroup meetings.

The Steering Committee defined in Section 4.2 was discussed at length. In order to sit on the Steering Committee, a participant must be a regular Participant of the Initiative Group and must meet the definition of a Discharger.

Section 4.3 merges the technical staff (formerly the Technical Team) and Participants from the Initiative Group. Transparency in the TAC is essential for promoting stakeholder agendas. Current language additions were requested to separate out the EMT from the TAC, but it is not functioning separate so there is no need to separate out and the language was not incorporated. The Charter reverted to the prior estuary modeling language.

Section 4.4 forms a Regulatory Subgroup to encourage open communication between Initiative Group representatives and the RWQCB. Participants were concerned about underrepresentation if the Regulatory Subgroup was comprised of only the facilitator and the TAC leader (neither of whom are stakeholders). However, the stakeholders agreed that to promote and encourage open communication within the Regulatory Subgroup, Participants should be limited to the Initiative Group’s Chairperson or a designee.

Section 4.5 defines project responsibilities only to Phase I, as consistent with the grant agreement work plan. The roles of the Chairperson and the administrative point of contact for public inquiries were clarified. Section 4.6 defines the facilitator role. Section 4.7 promotes outreach and the pending creation of an Outreach Subcommittee and other committees or subgroups, as necessary.

Section 5:

Potential voting structures were reviewed. The stakeholders agreed that the Charter will allow for the use of Participant Alternates instead of proxy votes. Each stakeholder that is a regular Participant will receive one vote, even if more than one member from any given organization is participating in the process. Participants will designate their Alternates for voting. Language was clarified as to how voting members may be replaced if participant replacement is necessary. Section 5 also outlines the process of how people can join the Initiative Group as a voting participant. The group listed in Section 3 of the Charter will receive solicitations as to whether they want to be Participants and will be provided the opportunity to name a representative and an Alternate. Any additional stakeholders will go through the selection and approval process outlined in the Charter. Administrative and content decisions will be discussed with the group prior to voting but the use of those terms may be changed to better reflect the types of decisions being made by the full group versus the decisions made by the Steering Committee.

All voting Participants may exercise their right to vote for administrative decisions. Administrative decisions require a majority vote. Steering Committee members only may exercise their right to vote for content decisions. Content decisions require a supermajority vote due to the number of participants represented by Riverside County. If a supermajority vote is made up of primarily Riverside County organizations, the vote must be the supermajority plus one additional non-Riverside County vote to pass.

The figure provided towards the end of the Charter will be removed and potentially included in the future Work Plan with the RWQCB.

Adoption of the Charter was considered an administrative decision and will not require a signatory page. All parties present (minus consultants and the facilitator) voted for conditional approval of the Charter, with the caveats that discussed changes will be incorporated and that some stakeholders will need to elevate the Charter for approval by management prior to full approval. The following stakeholders will attempt to receive required approvals prior to June 28th: USMC Camp Pendleton, County of San Diego, County of Riverside, and RCFC&WCD. Absent any additional changes, the Charter was conditionally approved by all stakeholders present.

In addition, Jason Uhley was named Chairperson for the Initiative Group.

Update on the Memorandum of Understanding

Sheri McPhearson (County of San Diego) provided the stakeholder group with a framework for working on the MOU and an example MOU. Responsibility-sharing must be discussed with the RWQCB as well as project implementation. The decision matrix should be attached to the MOU with the RWQCB, which will be a formal document with Steering Committee organization signatures. The MOU will memorialize funds, responsibilities, roles, and the process plan. The Stakeholder Group letter will be provided to the RWQCB prior to the MOU. If the letter receives positive feedback, the MOU will be the next step for collaboration with the RWQCB.

Review of SMR Stakeholder Group Letter to the RWQCB

The official title of the Initiative Group and project was revised to be the "Santa Margarita River Watershed Nutrient Initiative". The only changes to the letter that remained were grammatical and editorial (including replacement of the term "lagoon" with the term "estuary" in all documents). Jason Uhley, as Chairperson, will sign the letter and send it out under the official title upon firm approval, expected during the June 28th meeting. The final letter will be presented

during the meeting for final approval. The County of San Diego requires approval by management and will attempt to get approval prior to the June 28th meeting.

The letter is expected to be sent June 29th. Attached to the letter will be the list of participants, based on responses received from current and potential participants, as provided in the Charter, prior to that date. An email will be sent to solicit participants during the week of June 11. Stakeholders will be informed via email and will receive the letter prior to the 28th with an invitation to become a participant and support the letter to the RWQCB, and to gain the right to vote within the Initiative Group. Response must be received by the end of day on the 27th. The opportunity to join will be opened to the IRWM group and the MS4 stakeholder groups as well. The Initiative Group conditionally approved the letter to the RWQCB.

Technical Team Work Activities

Martha Sutula (SCCWRP) reviewed the current activities by the TAC and proposed a short term schedule. The TAC revised the management and monitoring questions based on past Initiative Group discussions that will influence the technical work plan and the revised management questions were discussed and approved by stakeholders.

The TAC is currently about two months behind schedule. Items that still need to be accomplished are: a regulatory briefing on key policy questions affecting the technical work plan and the development of a technical work plan for river monitoring (so a QMP can be implemented and sampling may begin next year). The TAC is currently establishing questions for core monitoring and special studies for inclusion in the work plan. The work plan will be updated to include: river and estuary monitoring, wet weather monitoring, consideration of seasonal numeric targets or objectives for listed tributaries and the estuary, and summer and winter dry weather. Key assumptions will require meeting with regulators. These assumptions include whether the nutrient discharge only has the potential to impact beneficial uses during wet weather via toxicity, dissolved oxygen is affected by biological oxygen demand and not nutrients, and toxicity from ammonia and nitrate are covered under a separate policy.

Policy questions include whether unimpaired tributaries will require nutrient targets and if the NNE, algal biomass, and/or dissolved oxygen will be used to assess beneficial use impairment. Under the current program, additional time and expense may be spent on tributaries that will not provide additional information or useful data. If the thresholds for algal biomass are used, the responsibility is removed for use of the NNE spreadsheet tool. The response will be assessed and a model will be used to link back to nutrients. Tributaries should use secondary indicators as screening tools that may trigger more precise actions where the nutrient targets may be utilized.

Two versions of the work plans will be updated moving forward: one with hard NNE targets and one with the soft targets using the NNE spreadsheet tool for a site specific objective or number. The number will not be used as a basis to list the water body, but will be used to indicate that additional work is necessary.

The special study for discharging recycled water to the river has been removed. A special study for nutrient assimilation should be conducted. Martha Sutula will plan a webinar for the management questions for the TAC meeting and the estuary modeling discussion will be pushed back after the Regulatory Subgroup meets.

Parking Lot:

- Provide additional funding to SCCWRP for upper and lower river modeling (including addressing EPA and RWQCB modeling and the watershed loading model created by Tetra Tech and supported by the EPA through Region 9)
- Further refinement and recommended educational discussions on competing beneficial uses, critical beneficial uses, and how those have been handled with Loma Alta
- MOU with the RWQCB

Next Meeting:

Combined meeting of the Initiative Group and the Technical Advisory Committee

San Luis Rey Water Reclamation Facility
3950 N. River Road, Oceanside, CA
Thursday, June 28, 2012
10:00am to 3:00pm