

**FINAL  
Meeting Summary**

**Santa Margarita River  
Watershed Nutrient Initiative Group Meeting  
Wednesday November 28, 2012  
9:30 am – 12:00 pm**

**Location:**

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

***Attendee List:***

<b>Name</b>	<b>Organization</b>	<b>E-mail</b>
Jason Uhley	Riverside County Flood Control & Water Conservation District	juhley@rcflood.org
Pam Nelson	Sierra Club / EMARCD	Pamela05n@yahoo.com
Jo Ann Weber	County of San Diego	Joann.weber@sdcounty.ca.gov
Sheri McPherson	County of San Diego	sheri.mcpherson@sdcounty.ca.gov
Rich Williamson	Rancho California Water District (RCWD)	williamsonr@ranchowater.com
Martha Sutula	SCCWRP	marthas@sccwrp.org
John Simpson	USMC Camp Pendleton	john.o.simpson@usmc.mil
Rachel Davenport	AMEC Environment & Infrastructure, Inc.	rachel.davenport@amec.com
Ashli Desai	Larry Walker & Associates	ashlid@LWA.com
Dave Ceppos	Center for Collaborative Policy	dceppos@ccp.csus.edu
Denise Landstedt	RCWD	Landstedtd@ranchowater.com
Con Kontaxis	Caltrans	Constantine_kontaxis@dot.ca.gov
Michael Welch	Consultant	mwelch1@san.rr.com
Jayne Joy	EMWD	joyj@emwd.org
Karla Standridge	Mission RCD	Karla@missionrcd.org
Clint Boschen	Tetra Tech	Clint.Boschen@tetrattech.com
Via Telephone:		
Scott Thomas	Stetson Engineering	ScottT@StetsonEngineers.com
Mark Bonsavage	USMC Camp Pendleton	mark.bonsavage.usmc.mil
Brittany Struck	National Marine Fisheries Service	brittany.struck@noaa.gov

***Meeting Materials:***

1. Meeting Agenda
2. Revised Draft Process Plan and Presentation
3. Proposed timeline for Quality Assurance Project Plan (QAPP)

### ***Meeting Goals:***

1. Get SMR Group agreement on next steps for the QAPP regarding proposed sampling for this water season.
2. Ensure shared understanding about the content of the Project Process Plan (Process Plan) (formerly known as the "Project Workplan").
3. Receive informational updates.
4. Track status of action items.

### **Action Items:**

1. Martha Sutula will solicit a proposal / cost estimate from Geosciences to do upstream modeling, since the cost for Stetson was only for the estuary. This is being done to ensure linkage between models
2. Dave Ceppos will revise the meeting summary from the October 24, 2012 meeting and will distribute the file to Sheri McPherson to be entered into the Santa Margarita River (SMR) Group website as a "Final" document
3. Jason Uhley will send the SMR Group website link to Deborah Jayne at the San Diego Regional Water Quality Control Board (RWQCB)
4. A series of items will be addressed as a follow up to the recent briefing with the RWQCB Executive Officer and related communications that should happen with US EPA. The goal is to set up a meeting of the SMR Regulatory Subgroup to present the same briefing that was given to the EO and to ask for timely review of the project process plan. Actions include:
  - a. Jason will email Dave Gibson with a summary of the action items from the EO briefing to memorialize them, and to follow up on the Los Penasquitos agreement that Dave Gibson said that he would send as a template for an MOU.
  - b. Martha will make an informal phone call to Cindy Lyn (EPA) re: the process plan and to introduce the intent of the SMR to hold a Regulatory Subgroup meeting soon.
  - c. Dave will work with Jason and Martha to coordinate and set up the conference call for the Regulatory Subgroup. The meeting is hoped to include but is not limited to EPA (Cindy Lin and/or Terry Fleming), State Board (Rick Rassmusson and/or Paul Hahn), RWQCB, US Fish and Wildlife Service (FWS), and the National Marine Fisheries Service (NMFS)
  - d. Denise will review her IRWM contact list and provide a contact for the FWS to Dave to be included in the Regulatory Subgroup meeting.
5. Martha will change the name of the "Quality Assurance Project Plan" from to "Monitoring Plan" for the Lower SMR River
6. Martha will send out the Monitoring Plan in the week of December 3 for SMR next level review. SMR Participant review is expected to be completed and provided to Martha by December 21. The Monitoring Plan will be sent to the RWQCB for review on January 5, 2013.

7. RWQCB review of the Monitoring Plan is desired to be completed by January 28, 2013.
8. The Final Monitoring Plan is targeted to be completed by February 28, 2013. Martha will work with Camp Pendleton prior to this date to complete permits for site access by sampling teams on the base.
9. SMR sampling will start in March 2013.
10. Brittany Struck of NMFS will provide a presentation on the life cycle and associated geographic and hydrologic conditions for SMR steelhead at the next SMR meeting in February
  - a. Dave will work with Brittany and Roxy Carter of CalTrout for a February SMR Group presentation.
11. John Simpson (USMC Pendleton and Brittany will discuss offline the impacts of O'Neil Dam on Camp Pendleton, and NMFS desires / expectations about the management of the Dam.
12. The Steering Committee needs to consider what level of detail and information they want included in cost estimates for the Special Studies. This will be revisited at the January 2013 meeting.
13. Stakeholders need to review and comment on the Project Process Plan. All comments on the Process Plan are due December 10, 10:00am. The webinar for the process plan will take place between 9-10:30 on the 11<sup>th</sup>.
14. The SMR TAC meeting will take place on December 13; time and location to be determined by Martha and other TAC members.
15. Dave will follow up with his staff for additional meeting dates (post-January).
16. Clint Boschen (Tetra Tech) will talk to Barry Pulver of the RWQCB re: the riverine loading model and will then coordinate further with Martha about next steps.

### **SMR Group Decisions**

The October 24 SMR Group meeting summary was approved as final, with the caveat of a few minor changes to be made by Dave Ceppos (Facilitator) (See below).

### **Introduction**

Dave reviewed the meeting goals and agenda, and inquired whether anyone had changes. No changes or comments were noted.

## **Review of October 24, 2012 Action Items**

### ***Technical Advisory Committee Action Items:***

1. Scopes and costs estimates of special studies have been provided to Martha.
2. The Camp Pendleton groundwater report will be available soon.
3. Martha will work with PF Wang to ensure information in the report (if available) can help inform setting boundary conditions for the proposed estuary groundwater model when it is available.
4. Martha will have the first draft of the Quality Assurance Project Plan (QAPP) available for review by the TAC on November 14.
5. A conference call to discuss the first draft of the QAPP had not been scheduled at the time of the meeting.
6. Final review of comments on the Riverine Sampling Workplan is complete.
7. Scott Thomas sent Dave Ceppos and Ashli Cooper Desai the Stetson technical memoranda for technical backup on the topic of setting sampling number and site selection criteria.
8. Clint contacted Scott to discuss exclusion criteria and similar information that can inform TetraTech's pending work.
9. Section 4.4 of the Project Process Plan (Process Plan, formerly referred to as the "Project Workplan") was updated to include a description of the estuary.
10. Section 5.3.2 of the Process Plan was updated to include key policy questions and to address questions about what will happen if Site Specific Objectives (SSOs) are established for the river and its tributaries.
11. The Process Plan was modified to address the conceptual approach for dry/wet weather conditions.
12. The TAC provided redline/strikeout comments on the Process Plan to Ashli.

### ***SMR Group Action Items:***

1. References in SMR documents to the "Riverside IRWM" were updated to "Upper Santa Margarita River IRWM".
2. Sheri McPherson sent out updated Google Earth .kmz file to the group.
3. Ashli has received a few relevant river and watershed technical reports.
4. Clint and Ashli to work together to identify relevant modeling studies by November 1. No update provided.
5. Martha completed review existing data/reports that have been placed on the Cloud.
6. Scott Thomas sent Ashli a write up of the history of the SMR group.
7. All future presentations about conditions on Camp Pendleton will be provided to Chuck Katz for initial review before they go out to the public and SMR Group distribution list.

## **Review and Approval of the October 24, 2012 Meeting Summary**

Denise Landstedt (Rancho California Water District (RCWD)) had the following two revisions under general updates:

1. On p. 3, changing "upper rancho" to "upper SMR and Fallbrook PUD", and
2. On p. 4, changing "RCWD has not received final work" to "RCWD has not received final word".

The meeting summary was adopted as final with a caveat for the two additional revisions.

## **General Updates:**

The County of San Diego is on track with the CEQA process under the Round 1 Proposition 84 grant. The San Diego Integrated Regional Water Management (IRWM) group interviewed the County of San Diego on November 27, 2012, to potentially provide additional funding for the Round 2 Proposition 84 grant as a part of a larger grant funding request by the San Diego IRWM group. The money would be used to fund special studies under Phase 2 and would begin March, 2015. The County of San Diego will find out if the studies have been selected on December 5, 2012.

If Phase 2 funding is not granted by the San Diego IRWM group, additional funding may be provided during the Round 3 grant process. Martha Sutula (SCCWRP) indicated that while it is not ideal, the project could still move forward.

The RCWD IRWM currently has four projects being funded under Round 2 of funding, one of which is the Phase 2 Santa Margarita River (SMR) special studies. The SMR group may consider moving forward with the upper SMR portion of the special studies if the County of San Diego is not granted the additional money through the IRWM grant process. RCWD suggested streamlining the process via a written agreement to transfer funds under the second round of funding from RCWD to the County of San Diego. This would streamline invoicing, progress reporting, and the work plan and regional credit would still be provided. The planning grant award has not been released yet, but is anticipated. RCWD has not solicited proposals yet for Round 2, but the deadline will be March 2013. It is still unclear what studies would be funded, but an answer should be available around December 5, 2012. A few participants expressed confusion about the various terms being used to describe the proposal and funding process. The following was described to help minimize confusion:

### **Language Clarification:**

1. Phase – refers to the Project Phases
2. Round – refers to the Funding Rounds
3. Work Elements – refers to anything having to do with the work plan

## **Report on San Diego Regional Water Quality Control Board Executive Officer briefing**

Barry Pulver, Dave Gibson, Deborah Jayne, Jeremy Hass (RWQCB) met with Jason Uhley (Riverside County Flood Control & Water Conservation District (RCFC&WCD)), Martha Sutula, Jo Ann Weber, Sheri McPherson (County of San Diego), Rich Williamson (RCWD), Pam Nelson (Sierra Club / EMARCD), Khalique Khan, and Mark Bonsavage (USMC Camp Pendleton) on November 21, 2012. The RWQCB indicated they were committed to the stakeholder process but expressed concern regarding impairment thresholds under the proposed criteria, which has yet to be established. Martha Sutula explained that the proposed impairment thresholds are unlikely to prevent a currently-impaired water body from being considered as not impaired, which eased some of the RWQCB's concern.

The RWQCB also expressed concern about RWQCB staff time allocation, budget positions and hours, and budget adjustments because that has to be approved by the state. Dave Gibson, the Executive Officer (EO) of the RWQCB was interested in signing two memoranda of understanding (MOUs): one for the funding vehicle, and one that outlines the rules of engagement between the stakeholder group and the RWQCB. Dave Gibson agreed to send out the Los Penasquitos MOU as an example. The RWQCB indicated they like the direction the stakeholder group is heading and they are committed to the process once they work out their internal budget issues. The RWQCB will review whether money provided by the Environmental

Protection Agency (EPA) can be used for Barry Pulver's participation in the process since his position is funded by the EPA for Total Maximum Daily Loads (TMDLs). Barry will document the process and results as part of the administrative record.

Stakeholders raised concern that after all this work and process, the RWQCB may revert to the traditional TMDL process and the initial Basin Plan standards of 1 mg/L for Nitrogen and 0.1 mg/L for Phosphorus. It was acknowledged by RWQCB representatives that the Basin Plan is outdated and the best available science should be utilized for Basin Plan improvement. The process MOU with the RWQCB is intended by the stakeholders to determine how SMR Group stakeholders and the RWQCB will proceed, without regulatory enforcement actions embedded within.

Dave Ceppos reminded the group about past interest expressed for the EPA to play a larger role in the stakeholder process. Concern was raised that the Region 9 EPA may be opposed to anything except traditional TMDLs, including SSOs. Sheri McPherson noted that the stakeholder charter already recognized the need for both the State of California and the EPA to participate. It is desired by SMR stakeholders that the EPA will play a large role in the process of defining loads and they need to be involved. The EPA, however, appears more interested in implementation and would want the studies moved along as fast as possible.

Rich Williamson raised concern that, down the road in the process, there may be a limiting feature of the process: potential endangered species concern regarding the seasonal requirement for steelhead habitat. Steelhead may be affected by aquatic conditions associated with the Water Quality Objectives (WQOs) for algal biomass standards for salmonids and Dissolved Oxygen (DO) standards. The SMR Group should consider what aquatic conditions are needed for steelhead in different life cycle stages, and in different segments of the river and estuary. These fisheries needs have to then be compared with other beneficial uses and conditions in the SMR. Findings for endangered and/or sensitive species will be required as part of the regulatory process and the RWQCB will have to make and support a finding that the objectives are supportive of applicable beneficial uses, and for specific sensitive species. The spawning habitat beneficial use should be reviewed as part of the process as well.

Brittany Struck (NMFS) indicated that they rely on the RWQCB to set the appropriate standards. If they had an issue with the standards or the process, they would address the RWQCB directly. Currently, that is not seen as a likely action.

Martha Sutula (SCCWRP) indicated that a regulatory strategy will need to be created at some point in the future and there may need to be a broader view of constituents versus only Nitrogen and Phosphorus. This may be a future action item. The group will need to look at what regulatory triggers exist, who will trigger what, and where there are multiple trigger points. A regulatory strategy analysis should be conducted. Ashli Desai (Larry Walker and Associates (LWA)) indicated that the strategy should be part of the Process Plan to identify the most limiting factor of the project, whether it is salmonids or something else.

The regulatory subgroup, comprised of Dave Ceppos; Jason Uhley; and Martha Sutula, will set up a regulatory subgroup conference call, as a meet and greet. The call will involve various regulatory agencies to begin a dialogue regarding the work plan and stakeholder process and to provide a heads up with the process plan is on its way to them for comment and review. A gantt chart will be included in the process plan to show the group's progress. The gantt chart may reference a future critical path for the regulatory subgroup.

## **Action Items:**

**Dave will work with Jason and Martha to coordinate and set up the conference call for the Regulatory Subgroup. The meeting is hoped to include but is not limited to EPA (Cindy Lin and/or Terry Fleming), State Water Quality Control Board (SWQCB) (Rick Rasmussen and/or Paul Hahn), RWQCB, FWS, and NMFS.**

**Jason will email Dave Gibson with a summary of the action items from the EO briefing to memorialize them, and to follow up on the Los Penasquitos agreement that Dave Gibson said that he would send as a template for an MOU.**

**Jason will send the SMR Group website link to Deborah Jayne at the RWQCB.**

**Denise will look at her IRWM contact list and see if she has a contact with the US Fish and Wildlife Service and send it to Dave Ceppos.**

**Martha will make an informal phone call to Cindy Lyn (EPA) re: the process plan and to introduce the intent of the SMR to hold a Regulatory Subgroup meeting soon.**

**Brittany and potentially Roxy Carter (CalTrout) will present on the life cycle and associated river conditions of the steelhead and other fisheries at the SMR meeting in February.**

## **Review and Discussion of QAPP Timeline and Associated Upcoming Milestones for Riverine Sampling in 2012-2013 Water Year**

Funding is available for monitoring the lower river, defined as downstream of De Luz Creek and entirely within Camp Pendleton's jurisdiction. The Quality Assurance Project Plan (QAPP) is 99% complete and includes the funding for core monitoring in the lower river. Monitoring locations have been identified from a technical perspective and SCCWRP will begin with the appropriate paperwork (i.e. permits) in mid-December. The QAPP is essentially the monitoring plan or work plan.

The deadline for the monitoring plan/QAPP is January 15, 2013. The sampling is anticipated to start in February. The monitoring plan/QAPP only includes site selection for the lower river.

The draft will be distributed to stakeholders the week beginning December 3, 2012. RWQCB Quality Assurance (QA) Officer review is anticipated to begin January 5, 2013. The following is the anticipated Phase 1 Project schedule:

- Timeline: Draft QAPP 11/28/12 – will actually be sent out next week
- TAC and RWQCB review: 1/5/13
- RWQCB QA review: 1/28/13
- Final QAPP: 2/28/13 and permits to get out in the field
- Initiate sampling: March 2013
- Complete sampling March 2015
- Baseline report: October 15

SCCWRP's calibration and validation of the water quality model may also begin soon. Some funding is available to begin the modeling, though all the needed studies will not be complete.

Tetra Tech is expected to conduct the watershed loading model. Stetson Engineers is working on the estuary model.

**Action Items:**

**Martha will change the name of the document from QAPP to Monitoring Plan.**

**Review and Discussion of the Revised Draft Project Process Plan**

Ashli Desai presented on the Draft Process Plan. Evaluation of WQOs and the discussion of the Nutrient Numeric Endpoints (NNE) may need to be expanded in the plan. Identification of technical and policy issues also needs more detail, and it may evolve as the process moves forward. Technical issues need to be connected with regulatory issues within the Plan. The following items still need to be completed:

- Schedule of deliverables,
- Gantt chart,
- Data summary from the estuary, and
- The cost estimate.

The cost estimate usually includes technical work and sometimes will include meetings, but it is really just a ballpark number and a scale for the level of commitment required. High and low cost estimates can be created. Cost estimates will be discussed in future meetings.

**Action item: Steering committee (and everyone else) needs to consider as an outstanding question is what they want included in the cost estimate**

The revision of the Process Plan is the last opportunity for the stakeholders to identify all of the potential key issues, and needs to be reflected clearly in the Process Plan. It should be distributed as widely as possible throughout the RWQCB departments. Stakeholders need to consider issues to be addressed upfront and those that can be casually approached and not specifically called out. The following initial policy issues will need feedback:

- Wet weather, which should be accompanied by a technical document for the administrative record;
- Numeric targets;
- Response indicators, nutrient concentrations, flow based criteria for NNE application (i.e. capturing wet versus dry loads, accounting for estuary load remobilization during wet years, etc);
- Groundwater.

All of the potential issues should focus around the beneficial uses. Michael Welch (Consultant) indicated that a table should be included that identifies beneficial uses and the issues that may potentially affect beneficial uses in various parts of the river. The group should consider what issues should be addressed via discussion with the Regulatory Subgroup and what issues should be addressed through a white paper. The Group determined that an option paper should be prepared for the Regulatory Subgroup that discusses policy issues and outcomes, identifying everything considered as a part of the project record, and including recommendations. All considerations by the Group should be included in appendices. The following procedure was outlined to address policy issues:

- Identify potential issues,

- Look at potential approaches to address the issues,
- Review the ramifications of potential approaches, and
- Review the data.

Thought should also be given to how this may affect MS4 permits. The wet weather issue should be streamlined to the Regulatory Subgroup as soon as possible so that it is resolved early in the process. The group also needs to consider the end point of the loads (i.e. ocean, estuary sediments, etc.) and the ramifications to the beneficial uses at those end points. These should also be included in the Process Plan in a table and should be presented in the option paper. Wet weather monitoring is expected to begin during the 1<sup>st</sup> quarter of 2013.

As for the steelhead, the group discussed whether a white paper was necessary to address the potential issue of their range in the SMR. Currently, they stop at O'Neil Dam, but NMFS may want to extend the steelhead habitat to their historical reach, above the dam. John Simpson and Brittany Struck will discuss this offline. Sheri McPherson (County of San Diego) suggested that each group of stakeholders should present their goals, issues, and projects related to the watershed so all stakeholders are aware of the ongoing projects (i.e. the conjunctive use project, the Rainbow Creek TMDL, etc...).

**Next Steps:**

Feedback on the process plan is due to Ashli by 10<sup>th</sup> at 10:00am (December); prior to the two hour webinar on December 11 from 9am to 10:30am.

The TAC meeting will be on the 13<sup>th</sup>. This meeting will likely last the majority of the day.

**Next Meeting:**

Rancho California Water District  
2<sup>nd</sup> Floor Conference Room  
42135 Winchester Road  
Temecula, CA 92589-9017  
January 10, 2013

Time: 9:00 am – 3:00 pm (9-12 TAC meeting, 12-3 General Stakeholder Workshop)