



**Regional Advisory Committee
Meeting #33 Notes**

August 3, 2011, 9:00 a.m. – 11:30 a.m.

San Diego County Water Authority
4677 Overland Avenue, San Diego, CA 92123

Attendance

RAC Members

Kathy Flannery, County of San Diego (chair)
Albert Lau, Padre Dam Municipal Water District
Anne Bamford, Industrial Environmental Association
Cathy Pieroni for Marsi Steirer, City of San Diego
Craig Adams, San Dieguito River Valley Conservancy
Crystal Najera, City of Encinitas
Dave Harvey, Rural Community Assistance Corporation
Denise Landstedt, Tri-County FACC, Upper Santa Margarita River Watershed
Iovanka Todt, Floodplain Management Association
Jack Simes, United States Bureau of Reclamation
Gabriel Solmer, San Diego CoastKeeper
Toby Roy for Ken Weinberg, San Diego County Water Authority
Kirk Ammerman, MS4 Copermittees
Linda Flournoy, Planning and Engineering for Sustainability
Lori Vereker, City of Escondido
Mark Weston, Helix Water District
Mark Umphres, Helix Water District
Ron Mosher, Sweetwater Authority
Rob Hutsel, San Diego River Park Foundation
Rob Roy, La Jolla Band of Indians
Shelby Tucker, San Diego Association of Governments

RWVG Staff

Jeffery Pasek, City of San Diego
Sheri McPherson, County of San Diego
Loisa Burton, San Diego County Water Authority
Mark Stadler, San Diego County Water Authority

Interested Parties

Cari Dale, City of Oceanside
Carlos Michelin, San Diego County Water Authority
Clay Clifton, EcoLayers
Craig Alama, unknown
Crystal Mohr, RMC Water and Environment
Dave Gibson, San Diego Regional Water Quality Control Board
Dennis La Salle, Interested Citizen
Eddie Pech, Department of Water Resources
Heather Parkison, RMC Water and Environment
Jennifer Kovecses, San Diego CoastKeeper
Jon Van Rhyn, County of San Diego
Judy Mitchell, Mission Resource Conservation District
Julia Chunn-Heer, Surfrider Foundation
Kelley Gage, San Diego County Water Authority
Kimberly O'Connell, University of California San Diego
Lauma Jurkevics, Department of Water Resources
Laura Carpenter, Brown and Caldwell
Linda Pratt, City of San Diego
Lyle Beller, Friends of Famosa Slough
Martha Sutula, Southern California Coastal Wetlands Research Project
Paul Hartman, City of Vista
Roselyn Prickett, RMC Water and Environment
Roshan Sirimanne, AMEC Environment and Infrastructure
Stephanie Bracci, City of San Diego
Todd Snyder, County of San Diego

Introductions

Ms. Kathleen Flannery (chair), County of San Diego, welcomed everyone to the meeting
Introductions were made around the room.

San Diego IRWM Updates

California Department of Water Resources (DWR) Update

Mr. Eddie Pech, DWR, provided an update on the IRWM Program. He stated that the final Proposition 84 Implementation Grant awards are due out next week, and that draft awards for Proposition 1E Stormwater and Flood Management grants are due out next month.

Proposition 50 Grant Administration

Ms. Loisa Burton, San Diego County Water Authority (SDCWA), explained that the second batch of amendments to the Proposition 50 grant contract was executed on July 14, 2011. These amendments apply to the Recycled Water Retrofit Assistance Program (Project 5) and the Santa Margarita Conjunctive Use Project (Project 10). In addition, Ms. Burton noted that three additional amendments are pending. At a previous RAC meeting, there was a request to compile a

comprehensive list of project amendments and post them on the San Diego IRWM website. The RWMG team has completed these updates, which are now available by clicking on the “Grant Administration” link from the www.sdirwmp.org webpage.

Ms. Burton stated that while some projects are being amended, there are other projects that are in full-swing, such as the Irrigation Giveaway and Cash for Plants Project (Project 2). She reiterated that local project sponsors (LPS) are encouraged to provide pictures with their invoice materials for RAC presentations and other purposes.

Ms. Burton provided an overview of the project financial status and grant costs billed to date per project. She noted that \$6,161,726 has been billed to DWR to date, and approximately \$118,000 of this was recently submitted to DWR on August 1, 2011. Ms. Burton then discussed administrative issues and challenges, including the fact that on July 26th DWR informed SDCWA that the region’s February 2011 invoice had been lost in the DWR mail room. She noted that SDCWA has resent another copy of the invoice and raised this issue with DWR management, requesting that they expedite invoice approval and develop a better internal tracking system to ensure that this doesn’t happen again. At this time, Ms. Burton requested that Eddie Pech of DWR provide an update to the group on this issue.

Mr. Pech expressed his apologies for the recent loss that occurred with the San Diego region’s February 2011 invoice, and noted that DWR is working to improve invoice processing and increase oversight. Mr. Pech noted his agreement with the July 11th letter that the RAC sent to DWR and Department of Finance, and said that DWR is trying to figure out how to improve invoicing for non-governmental organizations (NGOs) and disadvantaged community (DAC) organizations. DWR management is working on a solution to the aforementioned issue.

Questions/Comments:

- Multiple RAC members noted that invoicing delays pose a substantial threat to DAC and NGO involvement in the San Diego IRWM Program.
- Local NGOs have seriously debated whether or not to maintain their involvement in the IRWM Program due to invoicing issues and payment delays.
 - *RWMG noted that it is very distressing to hear that two key NGOs that have participated in the IRWM Program from the beginning are considering withdrawing participation.*
- Suggestion that DWR consider setting up an account that the region can draw down from, which would expedite re-payment.
 - *DWR staff would like to set up a meeting to get up to speed on NGO and DAC challenges so that they can better address them. DWR is also looking into options such as pre-payment to NGOs and DACs to maintain their involvement in the IRWM Program. DWR staff will take these issues to senior management, and address the region’s concerns.*

Ms. Burton concluded her presentation by noting that the Biofiltration Wetlands Creation and Education Project (Project 16) is now complete, and has received \$862,000 from DWR. She noted that two other projects, the San Diego Reservoir Watershed Acquisition and Restoration Project (Project 7) and the Chollas Creek Runoff Reduction and Groundwater Recharge Project

(Project 19) are nearly complete. She stated that the cash flow projection is \$8.4 million for FY 2012 and \$8.9 million for FY 2013.

Proposition 84 Updates

Mr. Mark Stadler, SDCWA, provided an overview of the region's Proposition 84 grant status. The Proposition 84 Planning Grant contract is currently in draft and should be finalized in September 2011. The Proposition 84 Implementation Grant awards should be finalized soon. DWR has a history of making all draft recommendations final, so the region expects to receive the full \$7.9 million included in the draft award. The RWMG also sent a letter to DWR encouraging that the Upper Santa Margarita River (USM) region to be funded as well.

Questions/Comments:

- Could additional projects be added into the San Diego Implementation Grant Proposal due to the additional funding that has been made available?
 - *The San Diego region did identify specific projects for the additional funding, because they did not want to request funding for projects that had not been through the region's rigorous project selection process.*
 - *The San Diego Implementation Grant application did include language that the region would be able to put forward additional projects, but DWR chose to only fund the 11 projects formally laid out within the application.*
- Suggestion that next round, the Project Selection Workgroup identifies a list of extra projects that can be funded in case additional money becomes available after the process has begun.
 - *That is an excellent suggestion, and in addition, the region has requested that DWR make clear what funding is available upfront so as to avoid this type of situation.*

Mr. Stadler finalized his presentation by noting that the *Implementing Nutrient Management in the Santa Margarita River Watershed Project*, which is an inter-regional Proposition 84 Implementation Grant Project with USMW, was recently kicked off.

San Diego IRWM 2011 Report Card

The RWMG, including Mark Stadler, Cathy Pieroni, and Sheri McPherson, presented the 2011 Report Card on the 2007 IRWM Plan to the RAC.

Mark Stadler began the presentation, noting that the Report Card explains progress that has been made to date on the IRWM Program, including progress on short-term priorities and progress towards achieving targets set forth in the 2007 IRWM Plan. Mark provided an overview on the short-term priorities, and noted that the San Diego IRWM region has made substantial progress towards meeting these priorities. Mr. Stadler stated that the focal point of the program for the next two years will be updating the IRWM Plan. Mr. Stadler also noted that IRWM planning has led to funding success as evidenced with the region's \$25 million Proposition 50 Implementation Grant, \$1 million Proposition 84 Planning Grant, and \$8 million Proposition 84 Implementation Grant.

Cathy Pieroni discussed the San Diego IRWM Survey, which was conducted from April 18-May 6, 2011. Ms. Pieroni noted that the survey indicated large support for the existing governance

structure, and for the San Diego IRWM Program as a whole. Results from the survey made a big impression on the RWMG agencies, and made a good case for going forward with the 5-year Memorandum of Understanding (MOU), which renews participation and funding for the program.

Ms. Pieroni also discussed the metrics from the Report Card. She explained that the RWMG developed these metrics to evaluate how well the program has accomplished the targets established for the nine objectives stated in the 2007 IRWM Plan. Section M of the IRWM Plan indicates consistency with local planning documents, which is why the Report Card not only evaluates IRWM-specific accomplishments, but regional accomplishments as well. Ms. Pieroni provided an overview of progress towards achieving targets associated with Objective A through Objective E. She noted that in accordance with Objective A, RAC members are encouraged to put the IRWM banner and a link to the San Diego IRWM website on their individual websites.

Ms. Sheri McPherson provided an overview of progress made towards achieving targets associated with Objective F through Objective I. She then explained that the Report Card also includes a section regarding the future of the San Diego IRWM Program. The region anticipates completing multiple planning studies that will be incorporated into an update of the IRWM Plan. The RWMG feels that there are three keys to the program's success: improving regional planning; fostering coordination, collaboration, and communication among agencies; and positioning the region to compete for water bond funding.

Questions/Comments:

- The region needs to make sure that key stakeholders remain as part of the process. RAC members are concerned after hearing that CoastKeeper and San Diego River Park Foundation may no longer participate in the program. A large part of the success of the San Diego IRWM Program is due to the inclusion of DACs and NGOs.

Stormwater Permitting Panel

Mr. Jon Van Rhyn, County of San Diego, served as the moderator for the Stormwater Permitting Panel and provided background for the stormwater permitting issues in San Diego. The County of San Diego, along with the 18 cities in San Diego County, the San Diego Port Authority, and the San Diego International Airport, collectively comprise the region's 21 Municipal Separate Storm Sewer System (MS4) Copermittees (Copermittees). These entities are regulated under one permit, which is probably the largest and most important permit issued by the San Diego Regional Water Quality Control Board (RWQCB). The Copermittees were issued their first permit in 1990, which is updated on a five-year cycle. The purpose of the panel is to look at the vision for the next permit renewal and determine what the important issues are.

Mr. Van Rhyn then introduced the other panelists. Dr. Martha Sutula represents the Southern California Coastal Wetlands Research Project (SCCWRP), whose role will be to give an update and overview of the problem statement. Mr. David Gibson is the Executive Officer of the San Diego RWQCB, and will provide the regulator's perspective on the future vision of stormwater permitting. Mr. Van Rhyn is the lead for the MS4 Copermittees, and will provide a perspective of local regulated entities.

Dr. Sutula began her presentation by noting that stormwater runoff is becoming an increasingly important issue due to the reduction of classic point sources, which increases the need to control

such non-point pollutant sources as stormwater. In addition, increasing urbanization has increased stormwater runoff while at the same time reducing the water quality of stormwater. Dr. Sutula noted that stormwater can be difficult to manage, because there are diverse and variable drivers, and there is no one-size-fits-all approach to the issue. There are two main sources of elevated stormwater contaminant levels: anthropogenic and natural. It is important to note that natural water quality contaminants are often present, and can impact the background water quality of individual water bodies.

The Clean Water Act, which largely dictates the MS4 Permit, is concerned not only with the chemicals that may be present in water, but also with the biological and physical quality of watersheds. Recent bioassessment studies demonstrate that nutrients and physical habitat disturbance are the top biological stressors. Hydromodification is a major physical stressor, and is therefore important to manage. In general, hydromodification can be managed by reducing runoff, increasing infiltration, avoid building in floodplains, and increasing education. Dr. Sutula finished her presentation by noting that SCCWRP is working to develop screening tools, modeling tools, and management tools to address hydromodification. From a management side it is important to address hydromodification and urban runoff at the watershed scale, and ensure that the public understands this process through education.

Mr. Dave Gibson began his presentation by asking “why stormwater permitting? What should a stormwater permit accomplish?” He noted that the U.S. Congress recognizes that restoring the physical, chemical, and biological integrity of surface water bodies, in other words sustainability of water bodies, is important. Past San Diego region permits have been process-oriented and highly prescriptive, and lack flexibility. He envisions that the next permit will be region-wide (on the watershed level) rather than County-wide. The new permit will also be more flexible and will not focus on numeric effluent limits.

Mr. Gibson noted that “Urban Stream Syndrome,” defined as stream issues that arise due to land use issues, is the region’s key water quality issue. In this case, land use issues cannot be stopped, but rather managed. The RWQCB is not supportive of the idea of a statewide permit, because they feel it robs the region of flexibility. They see the future as a local permit that:

- is watershed-based, outcome-oriented, and not prescriptive;
- focuses on implementation rather than processes;
- provides room for acceptable risks to allow the region to try new methods and learn how to better address challenges;
- has buy-in and participation from the region;
- allows for trust between the RWQCB and the Copermittees, as the RWQCB needs to trust that they will make good decisions;
- includes monitoring and assessment to use in the decision-making process
- will change jurisdictional-level requirements;
- identifies pollutant levels, and provides the opportunity to learn and implement appropriate best management practices (BMPs);
- has short and long-term performance measures; and
- includes an iterative process.

Mr. Gibson finalized his presentation by noting that many unique benefits may arise from this new permit, including:

- streamlining (efficiency) increases in the process;
- replacing unfunded mandate claims with iterative processes;
- shifting costs to more effective actions;
- allowing the regulators to have their “boots on the ground,” and be more involved at the implementation level;
- deciding reasonable beneficial uses and priorities; and
- avoiding losses of flexibility by replacing numeric effluent standards and maybe even TMDLs with targeted orders.

Mr. Jon Van Rhyn then focused on providing a local perspective on stormwater permitting. The current structure is jurisdictionally-driven, and as Mr. Gibson noted, will change to a watershed-level approach. This change would mean that the watershed-level Copermittees would tackle assessment and source priorities, while jurisdictions would individually address BMPs, implementation, and assessments of effectiveness.

Mr. Van Rhyn noted that the watershed-level approach will lead the region to a potentially more complex and costly process, which will require more flexibility and adaptive management. He noted that the stormwater permit has compliance standards, which do not equate to success. From a regulated point of view, the region would like compliance standards to be:

- clear and enforceable;
- actionable;
- achievable;
- measurable and supported by feedback; and
- useful in guiding program design, assessment, and modification.

Questions/Comments:

- Given that the Copermittees are required to accept and manage a wide range of flows, do we need to bring others to the table to participate in this MS4 Regional Permit?
 - *We do not currently have all that we would like at the table, and need more coordination. However, other folks (i.e. Caltrans) operate under different, for example statewide permits, and are therefore not under the San Diego RWQCB's jurisdiction. We would like to bring those folks in as they are willing.*
- How is the San Diego RWQCB dealing with the issue of uncertainty (re: climate change, wildfires, etc.), how will uncertainties be integrated into the regional permit?
 - *Flexibility in new permit will allow Copermittees to address uncertainty. Merging watershed and jurisdictional boundaries will be tough, but this is necessary. The jurisdictions will be focused on implementing plans very similar to Stormwater Pollution Prevention Plans (SWPPPs), rather than having to conduct long, detailed reports.*

- Suggestion to the Copermittees to use the RAC as a forum for future discussions. Also suggest that the Copermittees coordinate with IRWM project sponsors that are working to address these issues.

City of San Diego Climate Change Adaptation Plan

Ms. Linda Pratt, City of San Diego, discussed the City's Climate Mitigation and Adaptation Plan (CMAP). CMAP is a risk assessment, greenhouse gas inventory, and adaptation plan, which will build upon the City's 2004 climate change plan and include more actions on the community side rather than focusing on City operations.

CMAP will include mitigation measures, which will be specific enough to require environmental analysis under the California Environmental Quality Act (CEQA). CMAP will also include broad adaptation measures that will not require CEQA analysis.

Ultimately, CMAP will review other planning documents such as general plans through the lens of greenhouse gas reduction and consider the worst-case climate change scenario possible so as to be resilient and prepared for future potential climate change issues. Ms. Pratt emphasized that she would like to present to other groups that are interested in the CMAP.

Next RAC Meeting

The next RAC meeting will be held on Wednesday, October 5, 2011 from 9:00 a.m. to 11:30 a.m.

Public Comments

Lauma Jurkevics, DWR, noted that as part of the land use planning study included in the San Diego IRWM Plan Update, the RWMG should coordinate with the Land Use Subgroup of the Climate Action Team, and the United States Fish and Wildlife Service's Landscape Conservation Cooperative.

Mr. Jack Simes, U.S. Bureau of Reclamation, congratulated the San Diego River Park Foundation, Mr. Rob Hutsel, and the many River Park volunteers for receiving the National Park Award for the Healthy Rivers Initiative/Clean and Green Team.