



**Regulatory Workgroup  
Meeting No. 1**

**January 31, 2012 o 10:00 am-1:00 pm  
San Diego County Water Authority  
Training Room**

**Draft Notes**

*Action items in italics*

**Attendees:**

Peter Baranov, Sweetwater Authority	Bruce Posthumus, San Diego Regional Water Quality Control Board
Livia Borak, Coastal Environmental Rights Foundation	Toby Roy, San Diego County Water Authority
Cari Dale, City of Oceanside	Arne Sandvik, Padre Dam Municipal Water District
Leslie Dobalian, San Diego County Water Authority	Todd Snyder, County of San Diego
Jeremy Haas, San Diego Regional Water Quality Control Board	Iovanka Todt, Floodplain Management Association
Ruth Kolb, City of San Diego	Mark Umphres, Helix Water District
Eric Larson, San Diego County Farm Bureau	Catherine Tyrrell, RMC Water and Environment
Crystal Najera, City of Encinitas	Rosalyn Prickett, RMC Water and Environment
Kimberly O’Connell, University of California San Diego	Michael Welch, Consultant Team
Jeff Pasek, City of San Diego	

**1. Welcome and Introductions**

Michael Welch welcomed the group, who did self-introductions.

**2. IRWM Overview**

Rosalyn Prickett provided the Workgroup with a brief overview of the IRWM Program, which is a stakeholder-driven program that seeks to develop solutions to regional water management problems, identify projects, and seek funding for their implementation. The

San Diego Region adopted its first IRWM Plan in 2007 and is currently working to update the IRWM Plan for 2013. The IRWM Program is administered by a Regional Water Management Group (RWMG) comprised of the San Diego County Water Authority, County of San Diego, and City of San Diego. Program guidance is provided through a Regional Advisory Committee (RAC) which includes representatives from a diverse array of regional stakeholders including public agencies, business, agriculture, tribes, and non-government organizations.

The RWMG has engaged a technical consulting team led by RMC to assist in the IRWM Plan update effort.

### 3. Workgroup Objectives

Michael Welch gave a presentation and noted that the IRWM Plan update includes a task to develop an issues paper (White Paper) that identifies potential ways the IRWM Program and California Regional Water Quality Control Board, San Diego Region (RWQCB) can collaborate to better achieve mutual goals of protecting the Region's water resources. He noted that potential benefits to IRWM stakeholders from such collaboration may include improved: (1) regulatory certainty, (2) stakeholder coordination in addressing regional water management issues, and (3) data management coordination. Potential benefits to the RWQCB include enhanced: (1) technical and resource assistance provided through the IRWM program, (2) access to IRWM stakeholders, and (3) data management coordination.

Mr. Welch observed that the Workgroup could serve two roles:

- serving as an ideas forum or "think tank" to generate ideas on potential IRWM/RWQCB areas of collaboration, and
- serving as an oversight panel helping to direct the technical team's preparation of the White Paper.

An iterative process would be used in soliciting Workgroup input, both in developing a White Paper annotated outline and in developing progressive draft versions of the White Paper.

Workgroup members questioned whether the Workgroup should be focused exclusively on RWQCB issues or regulatory issues in general. M. Welch indicated that the Workgroup focus is intended to be on water quality protection and issues associated with RWQCB regulation. He noted, however, that potential areas of IRWM/RWQCB collaboration may address the RWQCB's need to coordinate regulatory efforts with other regulatory jurisdictions (e.g. health agencies or resources agencies). He further added that the Workgroup goal is to develop ideas on how the RWQCB and IRWM Program could collaborate for the mutual benefit of both organizations. Ideas developed by the Workgroup will be presented for the consideration of the RWQCB and IRWM stakeholders, and no Workgroup suggestions or decisions are binding on either organization.

**Meeting No. 1 Objectives.** To start this process, objectives for the initial Workgroup meeting included:

- discussing the group organization and selecting a chair,

- identifying and confirming the White Paper objectives provided within the IRWM work scope,
- identifying potential issues of interest that could be addressed in the White Paper, and
- distributing a preliminary White Paper outline.

#### **4. Group Organization**

For the consideration of the group, Rosalyn Prickett distributed proposed Workgroup ground rules, consensus rules, and proposed responsibilities of Workgroup members and the Workgroup chair and vice-chair. She noted that Catherine Tyrrell (RMC) will be attending meetings and will focus on integration of the White Paper into the IRWM Plan Update. Recognizing that the Workgroup has significant water, recycled water, and storm water agency representation, the Workgroup agreed on the need to utilize a consensus approach (as opposed to a "majority rule" approach). The handout on the Baseline for Workgroup Decision Processes was modified for the Regulatory Committee to allow for only Step 1-4 consensus. It was agreed that the Chairperson is responsible for determining when consensus has been achieved.

To ensure a broad array of input, Workgroup members strongly encouraged that additional stakeholder non-government organizations (NGOs) be contacted and encouraged to participate in the Regulatory Workgroup. In response to this suggestion, RMC will reach out to various Lagoon Foundations and watershed-based NGOs. It was also suggested that RWQCB Triennial Review committee members might be approached. R. Prickett noted that the IRWM update includes several advisory groups, and NGOs participating in the RAC were provided an opportunity to select the advisory groups in which they choose to participate. The group agreed that the White Paper will include both majority and minority opinions about potential collaborative opportunities.

Rosalyn Prickett summarized the key duties of the Workgroup chair and vice chair, which include (1) coordinating with the technical team on the meeting agendas, (2) chairing Workgroup meetings, and (3) reporting back on Workgroup progress to the RAC.

After discussion, Iovanka Todt (Floodplain Management Association) was selected as Workgroup chair and Mo Lahsaiezadeh (City of Oceanside) was selected as vice-chair.

#### **5. Potential White Paper Objectives**

Michael Welch presented the White Paper objectives established in the IRWM update work scope, which include:

- supporting the IRWM Plan update, which will including identifying regional water management issues that are dependent on or influenced by RWQCB regulation,
- identifying and prioritizing potential opportunities for the IRWM Program and RWQCB to collaborate in supporting the Basin Plan and protecting the Region's water resources, and

- identifying potential approaches for implementing the collaborative opportunities for the consideration of the IRWM stakeholders and the RWQCB.

The Workgroup did not propose any modification to the White Paper objectives established in the IRWM update work scope.

## 6. Potential Issues of Interest

As a lead-in to the discussion of potential areas of IRWM/RWQCB collaboration, M. Welch summarized the overall responsibilities of the RWQCB, including:

- establishing ground and surface water quality standards,
- permitting waste discharges,
- enforcing permit provisions and water quality standards, and
- collecting and managing regional water quality data.

He identified a number of potential issues of interest in each of these areas where IRWM/RWQCB collaboration may be of benefit.

**Discussion on Issues Breadth/Depth.** The Workgroup discussed the merits of two general approaches for the White Paper, including (1) identifying a "short list" of several prioritized collaborative areas and developing each collaborative idea in significant detail, or (2) identifying a "long list" of collaborative opportunities and providing less detailed information in each. Differences in opinion existed among the Workgroup as to which approach is preferred. Additional discussion will follow in the subsequent meeting.

**Issues Focus.** T. Snyder (County) noted that the RWQCB's triennial review process developed a prioritized list of issues of interest that was vetted by a process that included significant stakeholder involvement. Because prioritization is, in part, dependent on limited RWQCB resources, IRWM collaboration could be useful in addressing many of the listed issues.

Other Workgroup members agreed that the triennial list needs to be considered, and noted that the triennial review list is not exhaustive, and focuses on desired Basin Plan modifications. Other potential collaborative opportunities may exist outside the Basin Plan standards-setting process.

B. Posthumus (RWQCB) noted that the triennial review list is a subset of a larger RWQCB "wish list" of water quality protection needs for the San Diego Region. J. Haas (RWQCB) indicated that the RWQCB is in the process of developing such a "wish list", but that this internal process may not be completed by the time the White Paper is scheduled for completion. He indicated that in prior communications to the RAC, the RWQCB Executive Officer has discussed a number of the potential key RWQCB areas of focus, in part, including:

- increasing stakeholder involvement in regional water management and water quality protection,
- developing a comprehensive plan and cleanup approach for San Diego Bay,

- increased coordination of regional water quality monitoring, and improved public access to the data,
- encouraging development of locally-sustainable water supplies, including indirect potable reuse.

I. Todt (Floodplain Management Association) suggested that it would be helpful to ensure that the RAC is polled for ideas on collaborative opportunities. C. Dale (Oceanside) noted that it would be helpful to review notes from a past RAC meeting where RAC members and the RWQCB Executive Officer discussed potential issues of interest. R. Prickett suggested sending the meeting notes from the RAC meeting to the Workgroup.

**Agency Issues.** Additionally, Workgroup members identified a number of issues of specific interest to their respective organizations, in part, including:

- developing and implementing an improved permitting process for securing approval to remove vegetation and clean out flood channels,
- improving agency coordination for addressing issues affecting storm water compliance that may be under the control of other agencies (e.g. aerial deposition and the Air Resources Board; pesticide use and the Department of Pesticide Regulation),
- developing improved regulatory certainty on indirect potable recharge to reservoirs or the groundwater or wet weather recycled water discharges to surface waters, and
- developing innovative approaches to the regulatory permitting process affecting projects involving ecosystem restoration.

T. Roy and L. Dobalian (Water Authority) suggested that the White Paper effort may most benefit from focusing on classes of issues that may affect multiple stakeholders and identifying pathways for IRWM/RWQCB collaboration on these classes of issues.

**Approach for Identifying Key Issues.** For discussion at the next Workgroup meeting, the technical team was directed to develop a preliminary list of potential issues of interest for the White Paper on the basis of:

- prioritized items within the RWQCB's triennial review list,
- ideas and direction previously provided by the RAC and RWQCB management, and
- ideas submitted by individual Workgroup members.

Individual Workgroup members were encouraged to email M. Welch of the technical team with any specific ideas or issues of interest. Prior to the next meeting the technical team will consult the RWQCB triennial review list, minutes and documents from prior RAC meetings, and RWQCB documents to develop a preliminary proposed list of issues. Further discussion of the issues of interest will be placed on the agenda for the next Workgroup meeting.

## 7. Preliminary White Paper Outline

Michael Welch reviewed the process for developing the White Paper, which includes the development of an annotated outline. The outline will be developed in accordance with Workgroup guidance. For purposes of discussion, a preliminary draft version of a suggested White Paper outline was distributed to the Workgroup for comment. Workgroup members were encouraged to review the preliminary White Paper outline, which will be discussed at the next Workgroup meeting.

## 8. Public Comments

No public comments were offered.

## 9. Action Items

R. Prickett distributed the tentative Workgroup meeting schedule, which includes the following:

Meeting	Date	Time	Location
#2	Tuesday, March 27, 2012	10 am - noon	To be determined
#3	Tuesday, May 29, 2012	10 am - noon	To be determined
#4	Tuesday, July 24, 2012	10 am - noon	To be determined

The City of Oceanside and City of San Diego offered potential meeting sites and facilities for future Workgroup sessions. The RMC technical team and Workgroup chair will coordinate with the potential host organizations to select the meeting sites.

Issues discussed at the meeting that require follow-up action include:

- Stakeholders are to email M. Welch with any suggestions for collaborative opportunities between the IRWM Program and RWQCB.
- The technical team will reach out to several potential additional NGOs.
- The technical team will compile a preliminary list of potential issues of interest based on (1) the RWQCB triennial review list, (2) issues identified by the RWQCB Executive Officer in prior communications with the RAC, and (3) issues presented by Workgroup members. The technical leads will also send out the meeting notes from the last RAC Meeting.
- The Chair will present on Committee priorities at the April 5 RAC meeting.
- The technical team will coordinate with the Workgroup chair and vice-chair to develop the agenda and handout material for the March 27, 2012 Workgroup meeting. Agendas and support materials will be distributed one week before the meeting date.
- The technical team will develop a summary of Workgroup Meeting No. 1 and distribute the summary to the Workgroup members (including those who could not attend the first meeting).