



## **Regional Advisory Committee (RAC) Meeting #46**

December 4, 2013

9:00 am – 11:30 am

San Diego County Water Authority Board Room  
4677 Overland Ave., San Diego CA 92123

### **NOTES**

#### **Attendance**

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##### **RAC Members**

Marsi Steirer, City of San Diego (Chair)  
Arne Sandvik for Albert Lau, Padre Dam  
Anne Bamford, Industrial Environmental Association  
Bob Kennedy, Otay Water District  
Cor Shaffer for Bill Hunter, SFID  
Crystal Najera, City of Encinitas  
Dave Harvey, Rural Community Assistance Corporation  
Dennis Bowling, Floodplain Management Association  
Jennifer Hazard, Alter Terra  
Jennifer Sabine, Sweetwater Authority  
Joe Kuhn, City of La Mesa  
Joey Randall for Kimberly Thorner, Olivenhain Municipal Water District  
Kelly Craig for Robyn Badger, San Diego Zoological Society  
Kimberly O'Connell, UCSD Clean Water Utility  
Patrick Crais, California Landscape Contractors Association-San Diego  
Leigh Johnson, University of California Cooperative Extension (and alternate Loretta Bates)  
Leslie Cleveland, U.S. Bureau of Reclamation  
Linda Flournoy, Planning and Engineering for Sustainability  
Mark Umphres, Helix Water District  
Mike Thornton, San Elijo Joint Powers Authority  
Mo Lahsaie for Cari Dale, City of Oceanside  
Toby Roy for Ken Weinberg, San Diego County Water Authority  
Travis Pritchard, San Diego Coastkeeper  
Troy Bankston, County of San Diego (and Alternate Sheri McPherson)

##### **RWMG Staff**

Jeff Pasek, City of San Diego  
Mark Stephens, City of San Diego  
Mark Stadler, County  
Peter Martin, City of San Diego  
Bill Luksic, San Diego County Water Authority

**Interested Parties to the RAC**

Bill Tippetts, The Nature Conservancy  
Chris Helmer, City of Imperial Beach  
Christine Sloan, County of San Diego  
Crystal Mohr, RMC Water and Environment  
Deborah Knight, Friends of Rose Canyon  
Dorian Fougères, Center for Collaborative Policy, CSUS  
Drew Kleis, City of San Diego  
Ed Othmer, URS/IEA  
Erica Ryan, City of San Marcos  
Jack Monger, IEA  
Laura Carpenter, Brown and Caldwell  
Lesley Dobalian, San Diego County Water Authority  
Pete Shuffer, Quantum Ozone, Inc.  
Richard Winkler, San Diego Roots Food Project  
Robert Stone, Quantum Ozone, Inc.  
Sally Johnson, RMC Water and Environment  
Steve Batasini, Urban Meters  
Steve Steinberg, Southern California Coastal Water Research Project  
Taryn Kjolsing, City of Solana Beach  
Teresa Wilkinson, Groundworks San Diego  
Terrell Breaux, City of San Diego  
Trish Boaz, San Dieguito River Valley Conservancy

**Welcome and Introductions**

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Ms. Marsi Steirer welcomed everyone to the meeting. Introductions were made around the room.

**DWR Update**

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There was no DWR representative present and no DWR announcements from the RWMG, so no DWR update was presented to the RAC.

**IRWM Housekeeping**

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**Grant Administration**

Mr. Bill Luksic, San Diego County Water Authority, provided an update on the status of the IRWM grant administration. Mr. Luksic discussed the contract amendments in DWR review: Integrated Landscape and Agricultural Efficiency (Project 1) and Carlsbad Desalination (Project 10). Upcoming contract amendments in local project sponsor (LPS) review include: Landscape Renovation, Conservation and Pollutant Load Reduction (Project 3). San Diego Intertie Feasibility Concept Design (Project 12).

Mr. Luksic presented an overview of the reimbursements for the Proposition 50 Grant, Proposition 84 Implementation Grant – Round 1, and the Proposition 84 Planning Grant. Of the \$25,000,000 awarded under Proposition 50, \$10,854,751 has been billed to date, less retention to date (\$1,085,475), for a net reimbursement request of \$9,769,276. \$8,268,751 has been reimbursed. The

remaining budget for the grant is \$14,145,249. The latest round of LPS reports and invoices were submitted to the San Diego County Water Authority and are in review with DWR, and most projects are proceeding as planned.

Of the \$7,900,000 awarded by the Proposition 84 Implementation Grant Round-1, \$1,613,032 has been requested for reimbursement. The remaining budget for the grant is \$6,183,124.

The \$1,000,000 Proposition 84 Planning Grant has billed \$684,243, and been reimbursed \$442,832. The IRWM Plan Update was adopted by all three RWMG agencies by October 31, 2013 and submitted to DWR.

#### Questions/Comments

- Are any reimbursements subject to DWR audits?
  - The grant reimbursements are not subject to DWR audits, but the remaining retention funds are. The retention funds for completed Proposition 50 projects are currently being held up due to the recently conducted audit.

#### **IRWM Grant Program-Round 2 Awards**

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Mr. Mark Stadler, San Diego County Water Authority, updated the RAC on the status of the Proposition 84 Implementation Grant – Round 2 application. Mr. Stadler reminded the group that the San Diego IRWM Region (Region) had been recommended for 50% funding in the draft awards. He explained to the RAC that the Region responded through formal appeals that included discussing scoring with DWR staff at a public workshop on October 7<sup>th</sup>, submitting a detailed comment letter to DWR on October 10<sup>th</sup>, arranging a private meeting with senior DWR IRWM section staff on October 22<sup>nd</sup>, sending a shorter letter to DWR Director Mark Cowin on October 23<sup>rd</sup>, and submitting a number of comment letters from RAC members. Mr. Stadler explained to the RAC that the Region is now waiting for DWR to release final awards, and that final awards are anticipated by the end of 2013.

Mr. Stadler presented the Water Authority's approved legislative approach strategy for addressing various IRWM grant award and grant reimbursement processes. This strategy includes pursuing an increased allocation of Round 2 funds to provide the Region with its full Round 2 grant request, sponsoring legislation to streamline IRWM grant process in future bond measures and encouraging DWR to allocate the full balance of funds allocated to each region in the final round of Proposition 84 funding. The purpose of the legislative approach strategy is to make the entire IRWM grant process go more smoothly, and ensure that the issues that occurred with the Round 2 funding will not happen in Round 3.

#### Questions/Comments

- If the final awards are the same as the draft awards (50% of the grant request), do the projects have the same level of expected output/performance measures, or can the requirements be reduced?
  - If the grant award is reduced, the Region would need to reconvene the Project Selection Workgroup. The Project Selection Workgroup will make recommendations to the RAC about issues with projects and project performance, but these will need to be evaluated on a project-by-project basis.

- It was suggested by a RAC member that if the Region receives 50% of its requested grant funding, the Project Selection Workgroup may consider evaluating those projects that can wait for implementation and removing those projects from the Round 2 bunch to allow other projects that cannot wait for implementation to receive their full grant request. Those projects not funded under Round 2 could receive assurance that they will be included in the Round 3 application.
- Does the RWMG know anything about regions that got more than their allocation?
  - All that is known is that DWR had \$131 million to award, and all of it was awarded; this means that some regions received more than in the original Proposal Solicitation Package from DWR. The RWMG is trying to get DWR to go over their \$131 million cap such that in awarding San Diego their full Round 2 award, other regions will not receive less than they were preliminarily awarded in the draft awards.
- Mo Lahsaie City of Oceanside, commented that he, Ms. Rosalyn Prickett (RMC Water and Environment), and Crystal Najera (City of Encinitas) met with DWR in Sacramento. Ms. Prickett conveyed the San Diego Region's process well. DWR missed a lot of information that was in the application, and DWR should have communicated their issues with the proposal before scoring.
  - We asked DWR to be consistent within itself in administering and scoring the grant program/application. DWR missed things that were in the application, but they also made assumptions. For example, the DWR economists questioned if there really was a market for recycled water for agriculture in Escondido. The proposal contained several reference documents and newspaper articles that demonstrate this need, and the demands for the project are based on actual demands.
  - DWR is considering changing the process for scoring in the next round. They will probably release the scoring for public comment before releasing draft awards.
- What is the process for legislative approach? How can the group support these efforts?
  - RAC members and interested parties can use their legislative connections. The Water Authority will draft a bill that groups can try to get people to sign on to. The RWMG will communicate next steps to the RAC as next steps arise.

### **Data Management System Update**

Sheri McPherson, County of San Diego, introduced Dorian Fougères, Center for Collaborative Policy, CSUS and Steve Steinberg, Southern California Coastal Water Research Project. Mr. Fougères explained that he and Mr. Steinberg are working on the Regional Water Data Management Program (RWDMP), which is being partially funded through a Proposition 84 Implementation Grant. Mr. Fougères explained that there is a need for a RWDMP to take advantage of data sharing efficiencies, and that RWDMP will utilize participation of non-profit organizations and a Data Management System Advisory Workgroup to develop recommendations for the RWDMP. Mr. Fougères and Mr. Steinberg requested volunteers from the RAC who could be on the Workgroup, as well as advice from RAC members on outside experts that should be invited to join the Workgroup. Ms. McPherson will follow up to RAC with an email about these requests and participation.

Questions/Comments:

- How will QA/QC be handled for data coming in from the various stakeholders?
  - This project will only be developing recommendations, not building the database. The Workgroup will need to establish standards/criteria for data and the QA/QC procedure that will be implemented.
  - The goal of this project is to have a clear purpose for the system first, before building the actual database system.
- For the Workgroup participants, are you looking for expertise in data management or expertise in how data management can help support agencies?
  - The latter, though both would be useful.
- Ms. Jennifer Hazard, Alter Terra, volunteered for the workgroup; she is already working with a group to do a data portal.

**Stormwater Panel**

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Ms. Sheri McPherson, County of San Diego Watershed Protection Program, introduced the Stormwater Panel members:

- Drew Kleis, Program Manager, City of San Diego Stormwater Division
- Dave Gibson, Executive Officer, San Diego Regional Water Quality Control Board
- Christine Sloan, Program Manager, County of San Diego, Watershed Protection Program
- Trish Boaz, Executive Director, San Dieguito River Valley Conservancy

Mr. Dave Gibson explained that the first Municipal Separate Storm Sewer System (MS4) Permit was issued in 1990 and is thought to have had no definitive results. The Regional Water Quality Control Board (RWQCB) has progressively changed the MS4 permitting process since this time. Most recently the permits have become highly complicated, requiring about two years to develop and permits are revised every five years; this re-permitting process is so time intensive that the RWQCB staff were unable to incorporate lessons learned into revised permits. Under the new MS4 Permit, the RWQCB took a new approach in the content and format of the permit and requirements. The new MS4 Permit uses a watershed basis for a regional permit that includes neighboring counties (Riverside and Orange County). When other counties are added to the regional permit (anticipated in 2014/2015), there may be a few changes to the permit that will also affect San Diego County. The overall goal that the RWQCB has in restructuring and revising the MS4 Permit is to provide an opportunity to work together to address key issues of concern. The old permit focused on measuring actions rather than outcomes, and therefore did not effectively track progress or measure improvements. The new MS4 Permit aims to focus on outcomes through establishing priorities and finding resources to meet those priorities; in this way progress will be determined by progress that has been made towards various outcomes (priorities).

Mr. Gibson explained that the vision of the new permit is to foster a cooperative effort to support humans and ecosystems. To do that, the RWQCB has asked local stakeholders to prioritize issues and work on watershed scale. The new Water Quality Improvement Plans (WQIPs) will replace

city (jurisdiction-based) plans, which had to comply with water quality objectives but the iterative process to build on existing knowledge and try new methods was not clear. The old permit led to development of Total Maximum Daily Loads (TMDLs), which are very prescriptive and expensive and do not allow for much flexibility or adaptive planning. Now, under the new permit, TMDLs can be used if appropriate, but priorities can be established without TMDLs and implementation methods can change to move forward towards the desired outcomes. WQIPs provide structure on a watershed scale, allowing the focus to be on priorities.

The new MS4 Permit program effectively prohibits non-stormwater discharges into storm sewers, requires controls to reduce pollutant discharge, and restores and maintains the integrity of receiving waters.

As a sign of the new MS4 Permit's revised approach and potential success, Mr. Gibson noted that the Building Industry Association did not petition the new MS4 Permit, even though it has petitioned nearly all other MS4 Permits issued for the region in the past. The permit and WQIPs seek to address how we will allow offsets for pollution in communities, determine what is most important to be addressed on-site and what can be addressed downstream.

The focus on actions in the past was not effective, but the RWQCB hopes that focusing on key issues with an outcome-oriented approach will focus attention where it is needed but also meet a longer term vision. Creek rehabilitation could be a treatment option; watershed improvements provide multiple benefits, which should be taken advantage of. For example, in the development of the San Marcos downtown, a change to the orientation of the development led to a loss of 8 acres of wetlands, but now the development faces San Marcos Creek, making the creek an amenity rather than being hidden behind a wall and ignored. As an amenity the creek is more likely to remain protected from pollution. The goal is to have all waters in the region be scored as at least "fair". Not looking for perfection, but are looking for improvement.

Mr. Drew Kleis explained that from the City of San Diego's point of view, the prioritization and outcome-based approach is the key element of the new MS4 Permit. The WQIPs provide an adaptable vehicle to achieve water quality goals. Water quality goals are the same as before but now the focus is on outcomes, goals, and strategies to achieve those goals. Now, the permit looks at things comprehensively, keeping in mind the big picture (across jurisdictions). Due to the watershed-based nature (non-jurisdictional-based-nature) of the WQIPs, there is a need to coordinate between municipalities on WQIPs, but there are also limits to the WQIPs. The WQIP planning process has four steps:

1. Determine receiving water conditions
2. Determine potential impacts from MS4 discharges
3. Determine priority water quality conditions
4. Determine highest priority water quality conditions

One such limit is that the 303(d) list will trigger priority issues and priority issues within a watershed. Step 4 also includes the sustainability aspect of the WQIP and the watershed, and is when social, environmental, and other benefits and costs are considered.

Comprehensive Load Reduction Plans (CLRPs) are used as a starting point for the WQIP, and address TMDLs, Areas of Special Biological Significance (ASBS), and help to develop initial

priorities and strategies, and include implementation costs. From the CLRPs, lists of potential activities for the City of San Diego were identified. Most of these activities address multiple conditions including integrated pest management (IPM) education, irrigation runoff reduction enforcement and incentives, and green streets runoff reduction. Mr. Kleis noted that irrigation runoff is illegal in the City of San Diego, and there will be more enforcement of this in the near future.

Mr. Kleis also discussed the importance of understanding the cost of compliance and the importance of coordinating between agencies to achieve multiple benefits through taking advantage of efficiencies and opportunities. Mr. Kleis noted that it costs \$3.9 billion for 17-year CLRP compliance (just for the City of San Diego). For the City of San Diego these costs are significant, and emphasize the need to coordinate and prioritize based on a sustainability analysis, and emphasize activities that address multiple issues.

Ms. Christine Sloan discussed watershed management area analysis (WMAA), water quality equivalency, and alternative compliance. She noted that with the new MS4 Permit there are some significant compliance changes, such as creating an off-site alternative compliance option. There are now also more priority development projects, because the definition of priority development projects was changed to 10,000 ft<sup>2</sup> (smaller size compared to previous permit). Stricter retention requirements will also require more rain barrels and infiltration of stormwater to the groundwater basins. Stricter hydromodification requirements mean bigger best management practices (BMPs). These stricter requirements on smaller properties mean more owners will need new mitigation options, which will drive the need for off-site alternative compliance options. WMAA's are regional effort rather than a watershed-scale effort, in order to take advantage of economies of scale and implement alternative compliance options that are effective in addressing pollution and cost-efficient.

Ms. Christine Sloan presented the Alternative Compliance Program and how it would be developed. She explained that regulatory drivers, such as TMDLs, jurisdictional BMP retrofits and channel/habitat rehabilitation, and WMAs lead to development of watershed projects. The Alternative Compliance Program manages these projects. Project lists will be populated from plans and public input. The Water Quality Equivalency (WQE) is a way to compare offsite projects to the benefits of an onsite project (offsite projects may be different in nature). The WQE objective is to create a process to evaluate if the alternative project has greater water quality benefit than the potential on-site project. To develop a WQE, a technical advisory committee will be formed. Ms. Sloan stated that the WQE technical advisory committee is looking for one RAC member to join.

Ms. Trish Boaz stated that WQIPs reminded her of the Watershed Management Plan (WMP) process, which was successful. The WMP for the San Dieguito River Watershed created a Watershed Council from 2007-2010, but no longer has the funding to continue. Since 2010 local groups and agencies have been working as ad hoc watershed councils within the region. Now organizations in the region are implementing recommendations that came out of these WMP efforts. Ms. Boaz emphasized the need to ensure WQIPs build on and utilize previous efforts such as the priorities and projects identified in the various WMPs. Emphasis should be on coordination, working together, and thinking regionally but act locally. Non-governmental organizations (NGOs) have a lot of experience and resources that could be utilized (especially

related to citizen scientists). WQIPs and the new MS4 Permit could be a forum for NGOs to assist with alternative compliance. The key is collaboration, sustainability, prioritization of the role of NGOs in alternate compliance, and taking advantage of economies and efficiencies.

Questions/Comments:

- Did the RWQCB consider the existing WMPs when developing the new permit?
  - The RWQCB had invested time and effort in WMPs, but they were disjointed and inconsistent across the region. The RWQCB want to carry these efforts forward in the new MS4 Permit to ensure stormwater agencies can take the types of measures to mitigate pollution sources, but also to work with agriculture and other stakeholders. The intent is to carry forward WMPs and give them the legs to carry forward into future years.
- There are four funding opportunities with U.S. Bureau of Reclamation (USBR) on grants.gov right now. Some of these can fund the updating of WMPs. The grant opportunities close in January, so it would be best to look at the solicitations now to see if they may be appropriate. There are also education components in these grants.
- General comment that there is a need to include Tribal Nations in the WMP and WQIP processes.
  - Tribes were invited to participate in the MS4 Permit process. There is an Executive Order from Governor Brown to reach out to Tribal Nations. The Tribes do not always participate because of sovereignty issues, but will always be invited.
- In the map of the watersheds, the Upper Santa Margarita Watershed (located in Riverside County) is shown. Are we working with Riverside County to get Upper Santa Margarita water supply data?
  - The entire Santa Margarita Watershed, including the lower portion in San Diego County, is on a different timeline, and will be added to the permit in 2 years with Riverside County.
  - Ms. Leslie Cleveland offered to help coordinate with USBR when the time comes. The USBR has data and can help with providing data.
  - The Upper Santa Margarita Watershed has been coordinated through the IRWM effort, which coordinates activities between Riverside County, Rancho California Water District, San Diego County, the Marine Corps (Camp Pendleton), and others.
- Thank you Drew- for emphasis on addressing multiple issues. Any consideration of urban forestry? Need to work across the board and across departments to tie activities together. Ms. Linda Flournoy noted that she would like to give a presentation on soil humidity.
  - There are challenges with Low Impact Development (LID) because of soil/building/utilities conflicts. Where there is a need for an activity, there is an opportunity to address multiple issues. Linking projects with other capital improvements can have big costs savings.



- There is hesitancy to go beyond TMDLs and set water quality priorities that are not governed by an existing TMDL, because prioritizing various water quality constituents may trigger more restrictive requirements. Would it be possible to list priorities within a various watershed, but still have flexibility regarding how best to address this priority (when stormwater only partially contributes to the identified issue)?
  - Mr. Gibson replied that an adaptive management approach in place of TMDLs when appropriate is good. He hopes for fewer TMDLs in the future. Once adopted, TMDLs are law and can really limit agencies. There is concern that WQIPs will not be fully implemented in the long-term, but the RWQCB intends to ensure they are. MOUs, JPAs, and political institutions can be established to hold parties accountable to implementing water quality improvement measures. Need to provide protection for people sharing data in order to get people to work together for solutions.
- Will there be any significant changes to the permit when Orange County and Riverside County are added?
  - The permit will be open to changes when the other counties are added (2014 and 2015). This process provides an opportunity for Orange County and Riverside County to bring forward lessons learned from San Diego, but the RWQCB does not anticipate major changes. However, it is anticipated that the RWQCB will consider the bacteria TMDL.
- NGOs have more flexibility than agencies. Need to look at role of NGOs in stormwater management and utilize non-profit partners when appropriate.

### **California Water Plan Update**

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Mr. Mark Stadler explained the California Water Plan (CWP) Update. Mr. Stadler noted that the CWP is a strategic plan for guiding management and development of water resources. While the CWP does not create mandates, it is considered seriously during development of water-related legislation. Mr. Stadler noted the shift from large-scale state projects to regional efforts, and the new focus on integrated water management in the new (2013) CWP Update. Mr. Stadler explained the finance planning framework which is the first step towards identifying and providing solutions for finance issues affecting water management. The public review draft of the CWP Update is out right now; DWR hopes to have final out in March of 2014.

#### Questions/Comments:

- The CWP is just a guideline? Not mandatory?
  - The CWP cannot mandate any action, but it is taken seriously, especially in legislature.
  - It is the State's water quality document, so it is important to comment if you disagree with its content.
- How often is it updated?
  - Every 4 years

### **Next RAC meeting**

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Ms. Steirer presented the schedule for RAC meetings set for 2014:

#### Next RAC Meeting:

- February 5, 2014 – 9-11:30 A.M.

#### 2014 Meeting Schedule:

- April 2, 2014
- June 4, 2014
- August 6, 2014
- October 1, 2014
- December 3, 2014

### **Summary and Thanks**

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Let the RWMG know if you have any suggestions for presentations at future meetings (email Rosalyn Prickett, [rprickett@rmcwater.com](mailto:rprickett@rmcwater.com))