

1 **San Diego Regional Stormwater Copermittees**
 2 **Land Development Workgroup**

3 **Meeting Notes**

Date	Location	Agenda Summary
November 28, 2017 Start time: 9:00 a.m. End time: 12:00 p.m.	County of San Diego 5510 Overland Avenue, Room 471 San Diego, CA 92123	<ul style="list-style-type: none"> • Approval of Prior Meeting Minutes • Announcements and Future Events • Non-Agenda Public Comments • Report of Waste Discharge (ROWD) • LDW Program Updates and Action Items <ul style="list-style-type: none"> ○ BMP Design Manual Task ○ Alternative Compliance Tools Task ○ FY 17-18 First Quarter Expenditures

Meeting Attendance:

Number of Voting Copermittees Represented: 12

- | | | | |
|---|---|--|--|
| <input checked="" type="checkbox"/> City of Carlsbad
Kyrenne Chua | <input type="checkbox"/> City of Chula Vista
Boushra Salem | <input checked="" type="checkbox"/> City of Coronado
Jessie Powell | <input type="checkbox"/> City of Del Mar
Francesca de Leon |
| <input checked="" type="checkbox"/> City of Santee
Scott Johnson | <input type="checkbox"/> City of Lemon Grove
Malik Tamimi | <input type="checkbox"/> City of San Marcos
Doug Dowden | <input checked="" type="checkbox"/> City of Poway
Tracy Beach |
| <input checked="" type="checkbox"/> Port of San Diego
Christian Braun | <input checked="" type="checkbox"/> City of Vista
Michael Hilker | <input checked="" type="checkbox"/> City of National City
Tad Nakatani | <input checked="" type="checkbox"/> City of El Cajon
Craig Bonner |
| <input checked="" type="checkbox"/> City of San Diego
Emir Williams
Raymond Ngo | <input checked="" type="checkbox"/> City of Escondido
Elizabeth Lopez | <input checked="" type="checkbox"/> City of Oceanside
Ryan Rodman
Mike Strizic | <input checked="" type="checkbox"/> County of San Diego
Jon VanRyhn
René Vidales
Sheri McPherson
Nancy Richardson
Charles Mohrlock |
| <input checked="" type="checkbox"/> Geosyntec*
Venkat Gummadi | <input checked="" type="checkbox"/> Amec Foster Wheeler*
David Arthur | <input checked="" type="checkbox"/> Contech*
Noel Thurston | <input checked="" type="checkbox"/> Excel Engineering*
Samuel Bellomio |
| | | | <input checked="" type="checkbox"/> Michael Baker Int'l*
Miguel Avalos
(Secretary) |

One vote per Copermittee.

**Indicates non-voting representative*

4 **1. Introductions**

5 Attendees introduced themselves.

1 **2. Approval of the Minutes for the September 19, 2017 meeting**

2 The group has a single edit to the attendance section of the meeting minutes from September
3 19, 2017 in which Ryan Rodman and Mike Strizic from the City of Oceanside were incorrectly
4 marked as not present.

5 *MOTION:* Approve the September 19, 2017 meeting minutes, revised to note that the City of
6 Oceanside was present at the meeting. **(APPROVED)**

- 7 ♦ Moved by: Tracy Beach (City of Poway)
- 8 ♦ Seconded by: Elizabeth Lopez (City of Escondido)
- 9 ♦ Vote: 10-0 in favor, 0 abstention*

10 **Note that two voting representatives arrived after the vote.*

11 **3. Announcements & Future Events**

12 Rene Vidales (County of San Diego) informed the Land Development Workgroup (LDW) about
13 the 2017 State of the Beach Report Card, recently published by the Surfrider Foundation, which
14 evaluates U.S. states and territories on their policies to protect the nation's beaches from
15 coastal erosion, haphazard development, and sea level rise. The County was excited to share
16 that the State of California ranked at the top of the 30 states assessed, earning a grade of A in
17 protecting its beaches.

18 **4. Non-Agenda Public Comments**

19 No comments.

20 **5. Report of Waste Discharge (ROWD)**

21 The ROWD is nearly finalized. The County of San Diego has been collaborating with Orange
22 County in updating the last revisions over the last year. The information pertinent to the LDW
23 can be found in Section 4.4 - Jurisdictional Runoff Management Program (Provision E), which
24 was distributed earlier in the week. Sheri McPherson (County of San Diego) explained that
25 comments to the final draft were due November 27th. The LDW, however, had not had an
26 opportunity to collectively digest and discuss the information. Since the report's most recent
27 review with Orange County, two additional items have been added to the ROWD: Section 4.4.11
28 and Section 4.4.12.

29 Section 4.4.11 regards the Priority Development Project (PDP) classification of older
30 developments. Sheri McPherson and Jon VanRyhn (County of San Diego) acknowledged that the
31 language provided in this section of the final ROWD is problematic as it may declassify portions
32 of a PDP and reclassify them under standard project regulations. Additionally, John anticipates
33 issues in presenting the new section to the board. He also accepted that the board might

1 instead capitalize on the matter by requiring older developments to abide by current PDP
2 standards, despite the developments having been “grandfathered” to previous regulations.

3 Sheri asked if the LDW was comfortable with the added section, and if they agreed with the
4 language, or if they would prefer to modify it. The County opened the floor to any
5 recommendations or input/experience in the classification of developments. After discussing
6 several solutions, copermittees agreed that the language should be revised. Some of the most
7 noticeable examples of issues presented included large developments that initiated during the
8 economic downturn, and were subject to previous classifications, but which are just now
9 commencing again.

10 Jon explained that the issue should be of major concern to developers. Currently, the matter has
11 been navigated individually, on a case-by-case basis. Although the County realized there was
12 more than one solution to the issue, the County was hesitant to include any language that
13 prompts for standards lower than those which the regional board will uphold. John argued that
14 anything that allowed for the declassification of a PDP would be unallowable to the regional
15 board. Scott Johnson (City of Santee) expressed his position stating that the new policy could be
16 a useful tool, partially agreeing with the County. He also prompted fairness, particularly for
17 smaller developments, and noted that a potential declassification could allow developers to
18 complete older projects under the basis of the original design.

19 Jon’s proposition was to revise the section to be less specific and instead approach the
20 discussion through a detailed example; copermittees agreed. The County will compose a
21 preliminary revision and distribute it after the meeting. Responses are to be sent in by
22 November 29th to either Sheri or Rene. The final ROWD is due December 1st.

23 Section 4.4.12 regards a more practical update to the BMP design manual, specifically the
24 legality process. This issue is in direct relation with the section previously discussed. Generally,
25 the regulations and permits are enforced on a five-year basis. The County explained that the
26 goals of this policy is to avoid conflicts with new permits and to allow enough time for projects
27 to adapt to latest design criteria.

28 **6. LDW Program Updates and Action Items**

29 *a. BMP Design Manual and Help Desk Task*

30 The most recent comments to the BMP Design Manual have been reviewed. The public outreach
31 has been generally successful, providing some additional comments to be reviewed. The current
32 schedule proposes December 1st as the due date for the updated compiled manual. Copermittee
33 review will follow in the next two weeks, after which, it will open to public review in January.
34 The LDW briefly discussed one of the major challenges: how to provide updated information
35 without reopening the entire manual for revisions. New topics discussed include site design and

1 source control updates, infiltration feasibility process, pollutant control updates, maintenance
2 fact sheets, and hydromodification.

3 A 30-day comment period will follow the updated manual, spanning the month of January. A
4 three-hour workshop has been scheduled for January 16th, 2018 in the County's Operation
5 Center.

6 Other topics of concern include the distinction between alternative compliance and onsite
7 compliance for developments involving the same owner. The County announced that the
8 regional board agreed that a clearer distinction is required. The current language was accepted
9 because of the shared ownership context. The LDW agreed that there is immense value in
10 including that discussion in future meetings.

11 The LDW anticipated one additional ad hoc meeting, meant to address new issues that may rise
12 from the public outreach meeting held in January. Currently, the plan does not incorporate tree
13 well design as well as other items discussed in previous meetings. June of 2018 is the current
14 target for completion. However, there will need to be additional group correspondence before it
15 is finalized.

16 Sheri updated the group on the help desk's status, summarizing that in the last two months,
17 only one question was redirected to contact the respective jurisdiction for more information.
18 The County has noticed that most of the question presented were related to the topics
19 discussed in the respective model update. The County concluded that the help desk has been
20 successful in providing concrete answers, rather than redirecting the question to the respective
21 jurisdiction. Despite the positive news, the County asked the LDW if they found the help desk
22 useful or if people are finding answers independently. The LDW agreed it has been useful. The
23 County asked for suggestions in advertising the help desk, in addition to the current online
24 medium. A copermittee mentioned that the upcoming workshops and public outreach
25 meetings, would be an opportune time to advertise.

26 *b. Alternative Compliance Tools Task*

27 The action to redistribute funds from the Alternative Compliance Tools Task was previously
28 voted on via email. The City of San Diego explained the process in further detail and summarized
29 a recent meeting. The City may have decided on developing an EIR, which will delay the current
30 June 2018 date of completion. The County asked what prompted the City to develop the EIR.
31 According to Raymond Ngo (City of San Diego), it was a combination of several factors; the EIR
32 will clarify how these factor interplay, and ultimately, if there is an actual improvement in water
33 quality. More information is to come in the next meeting.

34 Charles Mohrlock (County of San Diego) updated the LDW on the progress of the task. The next
35 meeting will be held on December 5th with a public workshop planned for January 2018. The
36 recent review provided more procedural methods to calculate onsite compliance and generate
37 credits for compliance. Further updates were discussed including developing rules for partial

1 HMP criteria, ultimately allowing for combined structures to meet requirements. The County
2 presented the possibility of combining the workshop with the public outreach meeting for the
3 BMP design manual held on January 16th. Charles believes it may be too early but will try to
4 match the date for convenience.

5 Christian Braun (Port of San Diego) mentioned that a large issue for the Port of San Diego is the
6 lack of real estate funds, as the port relies heavily on the property leases. That prompts the
7 need to analyze how the tenants are going to be incorporated in the alternative compliance
8 discussion. The following meeting will have more information regarding the issue, after having
9 the opportunity to meet with the City of Riverside. The County noted that the City of Riverside
10 has recently had success in their alternative compliance program. This is due, in part, to the
11 cooperation of the separate jurisdictions.

12 *c. FY 17-18 First Quarter Expenditures*

13 The County announced that expenditures are now being processed quarterly. Attachments
14 summarizing the expenditures were sent out prior to the meeting.

15 *MOTION:* Approve FY 17-18 First Quarter Expenditures for \$23,997.44 **(APPROVED)**

- 16 ♦ Moved by: Sheri McPherson (County of San Diego)
- 17 ♦ Seconded by: Elizabeth Lopez (City of Escondido)
- 18 ♦ Vote: 10-0 in favor, 2 abstentions

19 **7. Action Items**

Action Item	Responsible Party	Timeline
1.	Respond to the revised Section 4.4.11 of the Report of Waste Discharge.	11/29/2018

20 **8. Next Meeting**

21 The next LDW meeting is tentatively scheduled for Tuesday Feb 27, 2017. Sheri suggested
22 pushing back meeting to February, after the public outreach meetings conclude to allow the
23 LDW to have greater overview on the rising issues. By then, the discussion will be further
24 developed for number of items, including the BMP Design Manual and the Alternative
25 Compliance Tools Task.