

San Diego Regional Stormwater Copermittees Regional Program Planning Subcommittee

Meeting Notes

Co-Chairs Todd Snyder and Jon Van Rhyn

Date	Location	Agenda Summary
10/30/2012 Start time: 1:00 PM End time: 4:00 PM	County of San Diego 5510 Overland Ave Conference Room 472 San Diego, CA	<ul style="list-style-type: none"> • Strategize for RWQCB's November 13 MS4 Permit Workshop • Consultant Support

Meeting Attendance:

Number of Voting Copermittees at this Meeting: 9

VOTING MEMBERS

<input checked="" type="checkbox"/> City of Carlsbad Elaine Lukey	<input checked="" type="checkbox"/> City of El Cajon Jaime Campos	<input checked="" type="checkbox"/> City of Escondido Cheryl Filar	<input type="checkbox"/> City of Lemon Grove
<input checked="" type="checkbox"/> City of Oceanside Mo Lahsaie	<input checked="" type="checkbox"/> City of Poway Steve Strapac	<input checked="" type="checkbox"/> City of Vista Paul Hartman	<input checked="" type="checkbox"/> Port of San Diego Allison Vosskuhler
<input checked="" type="checkbox"/> City of San Diego Drew Kleis	<input checked="" type="checkbox"/> County of San Diego Jon Van Rhyn Todd Snyder Sheri McPherson	Scott Norris Jo Ann Weber Christine Sloan	Tracy Cline

NON-VOTING MEMBERS/ATTENDEES

<input checked="" type="checkbox"/> City of Chula Vista Khosro Aminpour	<input checked="" type="checkbox"/> City of Coronado Rosanna Lacarra*	<input checked="" type="checkbox"/> City of Del Mar Mikhail Ogawa*	<input type="checkbox"/> City of Encinitas
<input type="checkbox"/> City of Imperial Beach	<input type="checkbox"/> City of La Mesa	<input type="checkbox"/> City of National City	<input checked="" type="checkbox"/> City of San Marcos Erica Ryan
<input checked="" type="checkbox"/> City of Santee Helen Davies Shawn Hagerty	<input checked="" type="checkbox"/> City of Solana Beach Taryn Dunbar	<input checked="" type="checkbox"/> Airport Authority Annie Martin	<input checked="" type="checkbox"/> Secretary Hilary Potter
<input checked="" type="checkbox"/> LWA Chris Minton	<input checked="" type="checkbox"/> AMEC Matt Rich		

*Indicates consultant representing copermittee

1. Introductions and Announcements

Meeting attendees introduced themselves.

2. Administrative Issues

3. Strategize for RWQCB's November 13 MS4 Permit Workshop

A. Participation from Elected Officials

Todd Snyder (County of San Diego) indicated that the San Diego County Board of Supervisors Chairman Ron Roberts will attend the RWQCB's November 13 MS4 Permit Workshop and will speak in a general manner on the Bacteria TMDL, requirements for development projects, and possibly the receiving water language.

There is also confirmation from the County of Orange that an elected official from their jurisdiction will attend, either a member of the Board of Supervisors or Chief of Staff.

The Copermittees at the meeting were asked if they knew of any confirmed or possible attendance by their elected officials or high ranking staff. In addition to the County of San Diego, the following jurisdictions indicated possibilities for attendance by one or more elected officials or high ranking staff:

- City of Escondido
- City of Santee
- City of Chula Vista
- City of Oceanside
- City of San Diego
- City of Poway
- City of San Marcos
- San Diego Airport Authority

The following jurisdictions indicated no attendance is planned by their elected officials:

- City of Del Mar
- City of Vista
- City of Solana Beach
- City of El Cajon
- Port of San Diego
- City of Carlsbad
- City of Coronado

Those Copermittees seeking to coordinate message points for elected officials should contact Teresa Brownyard (County of San Diego). Her contact information will be distributed after the meeting today.

Todd Snyder (County of San Diego) will communicate with Eric Becker (Regional Water Quality Control Board) to request 30 minutes for San Diego Region elected officials to speak at the workshop.

B. Participation from Attorneys' Group

Shawn Hagerty (City of Santee) indicated the Attorneys' Group will speak for 5 to 10 minutes, following the elected officials, with the purpose of framing the significant issues for the Board, reinforcing the point that the Board does have discretion and can alter the language for the receiving water limitations and points of compliance within the permit. The Attorneys' Group will educate the Board that this is not a legal issue, it is a policy issue. The Attorneys' Group has not yet coordinated with Orange and Riverside Counties.

The Copermittees discussed having the Attorneys' Group address issues in addition to the receiving water language, such as TMDLs and channel rehabilitation, which are also policy issues, not legally required for the permit. Copermittees also recommended speaking to the removal of the HMP exemptions, potential over-riding of the 2010 Resolution, and the requirement to mitigate for naturally occurring conditions instead of pre-project conditions.

Some Copermittees expressed concern that if the Attorneys' Group attempts to address too many issues, the key issue of receiving water limitations language will be minimized. Shawn Hagerty (City of Santee) indicated the Attorneys' Group will focus on the receiving water limitations language and mention the other issues briefly. The Attorneys' Group will draft a presentation for the November 13 workshop that covers all the issues and provide the presentation at the November 8 Program Planning Subcommittee (PPS) meeting for comments and input.

Todd Snyder (County of San Diego) will communicate with Eric Becker (Regional Water Quality Control Board) to request 15 minutes for the San Diego Region Attorneys' Group to speak at the workshop.

The possibility of submitting a letter to the Regional Water Quality Control Board by the November 5 deadline for the November 13 workshop was discussed. The Attorneys' Group will discuss the issue and determine the best strategy.

The submission of a letter to the State Water Resources Control Board by the November 13 deadline for the November 20 workshop was discussed. The Attorneys' Group will draft a letter and circulate the draft to the Copermittees prior to the November 8 PPS meeting.

C. Participation from Copermittee Technical Representatives

Todd Snyder (County of San Diego) indicated that the elected officials will speak first, followed by the attorneys, and then the technical representatives. The points presented by the technical representatives will build upon the content presented by the elected officials and the attorneys. He recommended the technical representatives portion focus on the receiving water limitations language, the Water Quality Improvement Plans and why they should be connected to compliance, the Bacteria TMDL, and development planning issues.

Todd Snyder (County of San Diego) shared that the Orange County Copermittees have requested one hour of speaking time, including legal and technical representatives, and their primary issues match the San Diego Copermittees' issues (receiving water limitations language, development and hydromodification issues, and the Bacteria TMDL).

The Copermittees discussed being complimentary to Regional Board Staff regarding the monitoring requirements. Some Copermittees expressed continued concerns with details of the monitoring requirements and potential costs to meet the requirements. The Copermittees reached consensus that the technical representatives will give positive recognition with regard to the monitoring requirements but mention there are still details to work out and encourage continued dialogue with Regional Board staff.

Khosro Aminpour (City of Chula Vista) raised the issue of plan submittal and implementation scheduling, suggesting the Board may have the ability to extend the timeframe for plan submittal. Several Copermittees suggested the Copermittees themselves need to determine a desired timeframe before raising the issue with the Board.

The City of San Diego distributed a draft presentation handout for the technical representatives portion of the November 13 workshop. The handout was developed by Drew Kleis (City of San Diego), Ruth Kolb (City of San Diego), and Dustin Bambic (AMEC team). Drew reviewed the draft presentation/handout with the meeting attendees. PPS members provided feedback and can continue to provide feedback until close of business on Thursday (email Drew Kleis, cc: Todd Snyder). Drew will work with the consultant team to incorporate the feedback into the presentation/handout and submit a revised version to the PPS before the November 8 PPS meeting.

The Copermittees discussed who would be speaking as the technical representatives at the November 13 Workshop. There are three main sections to the presentation: receiving water compliance, TMDLs, and development regulations. Christine Sloan (County of San Diego) recommended Julie Procopio (City of Santee) to cover the development regulations portion. The Copermittees recommended Todd Snyder

(County of San Diego) to cover the TMDL portion. The City of San Diego (Kris McFadden and Drew Kleis) volunteered to cover the introduction and receiving water compliance portions. These assignments will be revisited at the November 8 PPS meeting once the presentation/handout is near final.

D. Pre-emptive Letter to RWQCB Prior to November 13 MS4 Permit Workshop

For the November 13 MS4 Permit Workshop, the Regional Board has requested those with extensive comments to submit them in written format by November 5 so they may be included in the Board Members' packets for the workshop.

Mikhail Ogawa (City of Del Mar) indicated that the City of Del Mar has decided to have a written letter submitted to the Board Members. The letter will address the same three main issues (receiving water limitations language, development regulations, TMDLs) but not in as much detail as the planned San Diego Region presentation. The letter will express positive feedback on the permit process to date, but will also ask the Board Members to direct Regional Board Staff to not be passive on Provision A. In addition, the letter will speak to the development regulations specific to implementation in Del Mar and TMDLs associated with San Dieguito and Penasquitos. It is anticipated that the Mayor of Del Mar will sign the letter.

The Cities of Poway and El Cajon also stated they will be submitting letters prior to the November 5 deadline.

Shawn Hagerty (City of Santee) reiterated that the Attorneys' Group will discuss the issue and determine their best strategy. They may or may not submit a letter for the November 13 Workshop.

Given the short timeframe, the Copermittees reached consensus that a Copermittee letter will not be submitted by the November 5 deadline.

E. Letter to SWRCB Prior to November 20 Workshop

Shawn Hagerty (City of Santee) indicated the Attorneys' Group is working on a letter to be sent on behalf of all the Copermittees for the November 20 SWRCB Workshop. He emphasized that there is value in a united letter to the State Board on this issue.

Drew Kleis (City of San Diego) recommended technical issues be weaved into the attorneys' letter instead of submitting a separate technical letter. Shawn Hagerty (City of Santee) agreed.

The Copermittees reached consensus to have consultants draft technical components of a letter to be woven into the Attorneys' Group letter for submittal to the State Board by the November 13 deadline.

Todd Snyder (County of San Diego) shared that Orange County and Riverside County have agreed to provide the San Diego Copermittees with their draft letters.

4. Consultant Support

A. November 13 and November 20 Workshop Support

****APPROVED****

Todd Snyder (County of San Diego) requested up to \$12,000 of PPS Permit Reissuance Support funds (Subtask 3.A.1.) to authorize AMEC/Tetra Tech to develop speaking points, written materials, and other strategic support for the 11/13 RWQCB MS4 Permit Workshop and draft written comments (due 11/13) on the State Board Receiving Water Limitations issue paper to work in the content developed and provided by the Attorneys' Group. Deliverables from the consultants will be due by close of business on November 7. (AMEC Contract #536213)

This vote was opened to all Copermittees in attendance. The vote passed unanimously.

B. Monitoring RWQCB Meetings and Written Comments

****APPROVED****

Todd Snyder (County of San Diego) requested approval of the Mini-Monitoring Workgroup's request of \$25,000 of the PPS Permit Reissuance Support Funds (Subtask 3.A.2) to authorize AMEC/Armand Ruby Consultants to support the Mini-Monitoring Workgroup in additional meetings with RWQCB staff to improve upon the current draft Tentative Order and to assist in preparing written comments. (AMEC Contract #536213)

This vote was opened to all Copermittees in attendance. The vote passed unanimously.

5. Action Items

Action Item		Responsible Party	Timeline
1	Coordinate message points for elected officials by contacting Teresa Brownyard (County of San Diego)	All Copermittees	11/13
2	Email Teresa Brownyard's contact information to the Copermittees.	Todd Snyder / Sheri McPherson	ASAP
3	Request 30 minutes for San Diego Region elected officials to speak at the November 13 workshop.	Todd Snyder	

Action Item		Responsible Party	Timeline
4	Draft a presentation/handout for the November 13 workshop for review by the PPS.	Attorneys' Group	11/8
5	Request 15 minutes for San Diego Region attorneys to speak at the November 13 workshop.	Todd Snyder	
6	Draft a letter for the November 20 State Board Workshop (letter due 11/13) and circulate the draft to the Copermittees.	Attorneys' Group	11/8
7	Submit comments to Drew Kleis and Todd Snyder on the draft technical presentation/handout for the November 13 workshop.	All Copermittees	11/1
8	Revise the draft technical presentation/handout for the November 13 workshop and distribute to Copermittees prior to 11/8 PPS meeting	Drew Kleis (City of San Diego)	11/7
9	Draft technical components of a letter to be woven into the Attorneys' Group letter for the November 20 State Board Workshop.	Consultant Team	11/7

6. Next Meeting

Date: November 8, 2012

Time: 9:30 AM – 12 PM

Location: County of San Diego, 5510 Overland Avenue

FY2012-13 REGIONAL TASKS AND WORK PRODUCTS
(for inclusion in Annual Report)

Working Body	Task/Work Product	Program Implementation	Status
Regional Program Planning Subcommittee	Permit Re-issuance Support	Copermittees have been actively involved in the MS4 Focused Meetings and RWQCB Workshops. Written comments were submitted on the administrative draft permit.	Ongoing

Working Body	Task/Work Product	Program Implementation	Status
Regional Program Planning Subcommittee	Regional Standards for Reporting and Assessment		Ongoing
Regional Program Planning Subcommittee	Regional Framework/Guidance for Watershed-Based Implementation Planning		Ongoing
Regional Program Planning Subcommittee	Watershed Activities Database		Ongoing