

Otay River Watershed Management Plan (WMP) and Special Area Management Plan (SAMP) - Working Group Meeting Minutes

Date: July 7, 2004
Time: 6:30 – 8:30pm
Location: John Lippitt Public Works Center located at 1800 Maxwell Road in Chula Vista, CA 91911.
Purpose: To clarify the Roles and Responsibilities of the Working Group and the Representatives, and to discuss Goals identified by each of the Interest Groups
Handouts: Draft Minutes from 06-22-04 Working Group, Cd's of County Programs and Regulations, Master Mailing List.

1. Call to Order, Introductions, and Approval of Minutes

- The County Project Manager and Working Group Co-Chair, Tracy Cline, opened the meeting, discussed the handouts, and reminded attendees to sign-in: Stakeholders were given the option of receiving a CD with two documents, the San Diego Bay Watershed Urban Runoff Management Plan (WURMP) and the San Diego County Jurisdictional Urban Runoff Management Plan (JURMP). Stakeholders were also provided an agenda and meeting minutes from the June 22, 2004 meeting.
- John Willet updated the Working Group regarding the recent lower Otay River clean-up efforts and encouraged attendees to view the pictures on the easel and volunteer to help out.
- Introductions were made.
- Approval of minutes:
 - The County posted them on the Clean Water Project website (www.projectcleanwater.org) and mailed them to all the individuals that attended the last meeting. Only a few comments were received, which were incorporated into tonight's handout.
 - The Regional Water Quality Control Board (RWQCB) requested that page numbers be placed on the minutes if they are longer than 2 pages and would like a list of deliverables, schedule, attendees, and previous meeting minutes attached to the agenda at each meeting.
 - The County agreed and these items will be completed for future meetings.
 - John Rilling of the Otay Land Company identified that the 4th goal under Property Owner/Business and Building Interest Group Goals, is missing: "The Plan should evaluate and consider the economic impacts of recommendations made to the participating jurisdictions." There are goals for the City that have already been determined that could be affected by the plan.
 - The County agreed, and the goal will be inserted into the final meeting minutes.
- Individuals noted address and contact information changes.
- Mark Tucker from Wildlands Inc. requested that a sign-in list be distributed.
- No other comments were made and the minutes were accepted.

2. Clarification of Roles and Responsibilities of the Working Group

- Working Group: A broad stakeholder group comprised of Interest Groups and spokespersons (Representatives) for each interest group. Within each Interest Group, decision-making will occur by consensus. Representatives from the Interest Groups will meet and are also responsible for reaching a consensus for the Working Group as a whole.
 - The nominations for Interest Group Representatives will need to be approved by the Executive Steering Committee (ESC) made up of the City Managers and the County's Chief Administrative Officer (CAO). The ESC shall recommend to the Policy Committee to approve the group of representatives as a whole or individually or make suggestions for replacement/additions. The ESC is expected to meet no earlier than late August. The Policy Committee will meet shortly after the first ESC meeting.
 - The Working Group is open to anyone who wants to participate. The Working Group will function as a stakeholder group for both the SAMP/WMP.
 - Goals and objectives for each Interest Group were drafted at the last meeting.
 - Clarification on the methodology for determining a consensus was requested.
 - Consensus is reached in varying ways depending on specific groups and does not necessarily mean a majority vote. Consensus may reflect the item that all or most of the individuals within the Interest Group and Working Group agree on.
 - Duties of the Interest Group Representatives: At the request of the Project Team, Representatives may be requested to provide information to one or both the Policy Committee or the Executive Steering Committee.
 - There are several separate and distinct committees identified for the WMP and the SAMP:
 - The WMP is administered by the Joint Exercise of Powers Agreement (JEPA), which can be viewed on the Project Clean Water Website www.projectcleanwater.org. Current Signatory jurisdictions; Cities of Chula Vista and Imperial Beach, the San Diego Unified Port District, and the County of San Diego. Committees:
 - Policy Committee
 - Executive Steering Committee
 - Project Team
 - Stakeholder Group (Working Group)
 - The SAMP is administered by the Cooperative Agreement (CA) which can be viewed on the MSCP website (www.msccp.org). Current signatory agencies include; the U.S. Army Corps of Engineers (ACOE), The Cities of Chula Vista and Imperial Beach and the County of San Diego. Committees:
 - Executive Committee
 - Coordination Team
 - Working Group
 - One consultant has been contracted to prepare both the WMP and the SAMP.

- The Working Groups is also the same for the two projects. The Project Team consists of staff from the Cities of Chula Vista, Imperial Beach, and San Diego, the Unified Port District, and the County of San Diego.
- The Working Group requested that staff provide an organization chart with a list of participants including the decisions made by each group, a copy of the CA and the JEPAs. The JEPAs and the CA are available online.
- The RWQCB re-iterated this concern.
- Staff indicated that they would have the org-chart available and other requested information at the next meeting.
- Staff also informed the Working Group that most of this information is available on the County of San Diego MSCP website or the Project Clean Water Website. If anyone was interested they should go and review these documents online then call or e-mail Tracy Cline with questions prior to next meeting.
- The RWQCB questioned whether stakeholders are required to participate in both planning projects. What if they are an Interest Group Representative?
 - Staff replied that there would not necessarily be separate meetings for the SAMP and the WMP. However, this does not preclude single project meetings. Therefore, a Working Group member could participate in one plan or the other. Also although not mandatory the Interest Group Representatives that are selected should be available to participate in both planning projects.
- Differences between the SAMP and WMP?
 - The WMP is seen as a planning tool that will identify and coordinate existing plans and regulations within the watershed with a focus on identifying ways to protect water quantity and quality. These existing plans and regulations include the General Plans of the affected jurisdictions, the MSCP, and the NPDES permit.
 - The SAMP is a regulatory tool that the County Board of Supervisors was interested in as a means to streamline regulatory processes (ACOE Section 404 and CDFG Section 1600 et seq. in this case) without hindering economic development as the MSCP plan did for the Endangered Species Act. Additionally, the SAMP could provide additional wetland habitat species coverage that was envisioned by the MSCP. The Otay River watershed was selected as a pilot for the SAMP because there would be relatively little change in the development potential within the watershed.

A general discussion between Participants on a SAMP/WMP

- It was noted by staff that the SAMP would not abrogate permit authority to the County of San Diego or the other jurisdictions as was accomplished by the MSCP. That instead the most likely result would be that there would be a set of criteria established through the SAMP process that all future projects in the watershed will be compared against. If a project met these criteria then there would be little or no additional review necessary. This is a decision that would be made by the ACOE not the local jurisdiction. If the ACOE did not find the

project to be in conformance that project would be required to meet all requirements of the 404-permit process.

- How will the stakeholders be apart of the process?
 - The ACOE has it's own policies for stakeholder input. It is the intent of the County that the Working Group will have additional say in the development of the SAMP. Stakeholders will be able to provide input in the development of many of the products developed for the SAMP including the Planning Principals document, the Aquatic Resource Management Plan and other portions of the SAMP. This in addition to the review of the plan during the NEPA/CEQA public review process. The Working Group would provide recommendations to the Project Team regarding issues such the identification of the location of preservation, enhancement, restoration, and development (recr
- It is anticipated that the SAMP will take approximately 3 years to complete. Therefore, any project that is approved and constructed before the issuance of any permit from the SAMP process would not be affected by the SAMP. The County feels that there will be little to no change to existing development within Otay Ranch GDP area.
- The SAMP could also provide a mechanism facilitate the use of land acquisition grants as identified under Propositions 40/50, etc.
- Mark Tucker (Wildlands, Inc.) would like to know the role of wetland mitigation banking? He noted that Wildlands, Inc. has identified additional opportunities for wetland and riparian restoration at Rancho Jamul, assuming the market is available. They would like to see the Rancho Jamul mitigation area be identified as a priority area. Wildlands would be willing to share data on existing conditions and restoration plans for the mitigation area.
 - The County envisions that existing wetland mitigation banks are identified and valued as a tool for permitting development under the SAMP within the watershed, but does not guarantee at this time that the properties Wildlands, Inc. has acquired are the best opportunities for restoration within the watershed because the data has not been reviewed.
- The RWQCB indicated that they do not have the funding to participate in the SAMP, and therefore, they do not understand how a Section 404 permit will be issued without the Section 401 for each project under the SAMP.
- The RWQCB agreed that the WMP is partially funded by the RWQCB, can facilitate funding for restoration projects under the SAMP in the future.
- The RWQCB also pointed out that the WMP is due in March 2005. They felt that the Working Group should be focusing on the WMP because of the strict time constraints. The Working Group is basically an advisory committee and requires tools to work with prior to making decisions.
- It was suggested by one participant would like print-outs of base-maps such as what land is for sale, existing and future planned developments, vegetation, exiting and proposed trails, locations of endangered or threatened species.
 - Staff suggested that we would hold a workshop on the various GIS layers being utilized for this project and that printed maps could be provided at that time.

- How does the County is notify the public of upcoming meetings and workshops?
- The County has been utilizing the following media: newspaper ads, press releases, post cards, postings on the Project Clean Water website. However, if there are any suggestions regarding alternative media, please send these to Tracy Cline at the County. Suggestions provided included:
 - Newspaper articles need to be put in the South County Tribune and not the regular Union Tribune.
 - Notices should be posted in the Jamul area.
 - Notices should also be prepared in Spanish, possibly on the Spanish television and radio.
- Are there past SAMP documents available as an example for stakeholders?
 - There are currently no approved SAMPS is California although there three underway in Southern California. Limited information is available for these on the ACOE website.
 - There have been SAMPS approved in the Northwest and along the Eastern Seaboard. Information on these can also be found on the Internet. Staff cautioned about the use of information found on these other older SAMPS as they have changed substantially over the last decade.
- Information on Watershed Planning is more abundant and the County will work on preparing a list of these websites. In addition, the RWQCB indicated that they could provide some links to a few that they “considered good or adequate”.
- Will the SAMP approve of “out-of-kind” mitigation?
 - It is unlikely that the ACOE would allow for “out-of-kind” mitigation due to the history of natural wetlands being replaced with “easy-to-create” emergent wetlands.
- The RWQCB again noted that there are strict time constraints on the development and approval of the watershed plan and there should be a concerted effort to stay focused on the issues so that key issues can be dealt with in a timely manner.

3. Discussion on Goals and Objectives

Item will be moved to the next agenda.