

## **County of San Diego Water Quality Working Group Meeting Summary**

Tuesday, April 20, 2010

Time: 10:00 a.m – 12:00 p.m.

California Regional Water Quality Control Board

9174 Sky Park Court, Suite 100, San Diego

### **Members Present**

Michael Beck, Endangered Habitats League

Chris Cate, San Diego County Taxpayers Association

Chiara Clemente, Regional Water Quality Control Board

Stephanie Gaines, County of San Diego

Bill Harris, City of San Diego, Storm Water Department

Eric Larson, San Diego County Farm Bureau

Tim Murphy, City of Carlsbad

Todd Snyder, County of San Diego

Mark Stadler, San Diego County Water Authority

Kim Williams, Geosyntec Consultants

Midori Wong, SANDAG

### **Supporting Roles**

Michael Drennan, Weston Solutions

Sheri McPherson, County WPP

Lewis Michaelson, Katz & Associates

David Pohl, Weston Solutions

Danielle Thorsen, Katz & Associates

### **Other**

Jerry Rowing, Borrego Water District

### **Introductions**

Attendees briefly introduced themselves. The facilitator gave an overview of the group and the development of a water quality framework for the benefit of new attendees.

### *Meeting Summary*

The facilitator asked for comments and clarifications on the March 2010 draft meeting summary. The meeting summary was approved by the members in attendance.

### **Presentation: Refined Water Quality Framework**

The group identified that the objectives fall under two broad categories: regional and local. They discussed whether a distinction needs to be made in the framework as to whether regional and/or local projects should be considered as part of the Water Quality Working Group recommendations. The group agreed that both regional scale projects and local scale projects that are necessary to achieve regional goals should be included. An explanation for considering regional and local project approaches should be included in the framework for water quality.

The group also discussed the concept of equitable distribution as a proposed addition to the framework. Equitable distribution was first addressed when originally looking at water quality with SANDAG. Since there are a number of large-scale water issues in the region, equitable distribution ensures that each of the watersheds or jurisdictions is represented in some way. Mr. Drennan explained that equitable distribution is an issue for later in the process and is beyond the current scope of the framework document.

The group discussed the structure and necessary elements for the framework. They determined that the recurring theme was defining water quality. It was also suggested that goals and objectives are necessary for the framework, but that the term “vision” should not be used since it is too vague.

Since the parameters should set ground rules about what to capture for the cost estimate and the needs assessment, some of the parameters could be misleading. The group determined that the parameters set forth are not functioning as parameters, but more as issues that should be considered. The group decided that the parameters should be projects that 1) are related to water quality, not water supply, 2) have no existing funding source and 3) may be scaled for regional or local approaches. The existing parameters should be removed, and the new parameters should be included in the framework section.

Ms. Gaines will send a revised version of the document to the group and will set a deadline for feedback. If there are problems with the framework, the group can revisit it, but a working document is necessary to set a foundation and allow the technical analysis to get started.

### *Objectives*

For the objectives, the group questioned the lack of supporting examples for “source control” and the inclusion of “harmful products.” Control of harmful products would be more effective on a statewide level and is already addressed by local jurisdictions. Controlling products would make the document appear regulatory in nature, although it could assist in meeting compliance. An incentive program that supports outreach may be more appropriate. Prioritization may be beneficial in determining the inclusion of source control.

In reference to pollution protection, the group questioned whether it was just for polluted runoff and just for surface waters. The group agreed that pollution protection related to runoff should apply to aquifers as well as surface waters. However, keeping in mind that water supply has dedicated funding mechanisms, the focus should be on runoff, not all sources of pollution. The group also recognized that stormwater quality was the impetus for the Water Quality Working Group.

In the Ancillary Benefits section of the framework, the group discussed the last two proposed additions:

- Implementation of best management practices (BMPs) in agricultural areas to protect both surface water and groundwater supplies.
- Support pilot projects that use captured and treated stormwater to augment irrigation on a localized scale, in combination with gray water use or re-use.

The group questioned whether they were more primary solutions and legal requirements rather than ancillary benefits. They could also be used as examples of ancillary benefits.

In addition to reviewing changes incorporated in the document, the group made the following recommendations during the discussion:

- Add “affected by runoff” at the end of the mission to limit the types of runoff programs
- For consistency, add “from polluted runoff” to the first bullet under Tier 1, Objective 1 (“Protect coastal waters such as bays, beaches, and estuaries”)
- Change the wording of land acquisition in the objectives to “Purchase, maintenance, and/or preservation of land to protect water sheds” to avoid mistakenly raising questions about eminent domain.

### **Review of Needs Assessment Process**

Ms. Gaines and the facilitator reviewed the draft outline for the needs assessment report and the timeline for the needs assessment process.

**Q:** When will we first see the cost estimate numbers?

**A:** The initial numbers will be available prior to the August meeting.

**Q:** Are we going to see a regional needs gross assessment number and reduce that to the net number that we will be working from?

**A:** We don’t know what that net number is. This group just needs to prioritize the needs rather than trying to hit a specific number.

**Q:** What happens if we can only fund a portion of the first priority?

**A:** We will need to consider equitable distribution as well as focusing on the top priorities. The specifics of which projects should be funded can be determined after the recommendations are made to SANDAG in September.

### **Review of Draft Report Outline (Needs Assessment and Cost Estimate Report for SANDAG)**

Ms. Gaines went over the Draft Outline of the Needs Assessment Report. The Water Quality Working Group is charged with developing a cost estimate and description of water quality needs that are unfunded. The cost estimate can be developed by using a

combination of the bottom-up and the top-down approaches. The group will also provide examples of projects that help explain the types of needs that exist.

**Q:** What approach did Los Angeles use to determine the cost estimate?

**A:** They used the top-down approach. Their cost estimate was \$25 billion.

**Q:** Did we receive the L.A. needs assessment?

**A:** The link to the L.A. IRWM is on the WQWG website.

## **Funding Mechanisms**

### *Presentation of Past Research*

Ms. Wong from SANDAG and Mr. Cate from the San Diego County Taxpayers Association collaborated on a presentation regarding funding mechanism estimates given to the SANDAG Board in 2007. Ms. Wong provided data from the Board report and Mr. Cate provided observations on their characteristics. Ms. Wong reviewed potential funding options for a 20-year period based on past propositions, user fees, sales tax increases, parcel tax increases, development impact fees and transient occupancy tax.

### *Pros/Cons of the Various Funding Mechanisms*

Ms. Wong and Mr. Cate explained some of the factors to consider with these funding mechanisms.

Disadvantages discussed by the group regarding sales tax:

- Less reliable tax than property tax, depending on the municipality
- Can deter consumer spending in a municipality (although less of a problem if enacted countywide)
- Most regressive tax; impacts lower income households more than higher income households

For the parcel tax, one disadvantage is that it can only raise a limited amount of money, perhaps up to \$50 million. For development impact fees, the level of those fees may already be considered too high to be added to substantially, and impact fees also vary considerably depending on the level of development occurring.

**Comment:** East County voted against Proposition A for wildfire protection because they were against the concept of a tax. It did not matter that it benefited them.

### *Discussion – determine what feedback the group would like to present to SANDAG*

Ms. Gaines asked the group if they had any feedback on which mechanisms appeared to be applicable to funding water quality needs. The group is concerned that the needs may

be too great to fund without a sales tax. It was also unclear who the recipients of the funds could be. Mr. Drennan pointed out that even if funding is limited, the planning effort is valuable since it can inspire funding sources.

**Q:** When we say local governments, are we including or excluding water districts as recipients of funds?

**A:** It depends on the funding mechanism since districts are not a part of SANDAG. Agencies already have a way of receiving funding, but to implement some water quality programs, other local entities besides municipalities may need to be included in the funding. The agencies would need to be eligible and meet the parameters of the program in order to receive funding.

The group also questioned whether agencies would need to apply for money from SANDAG and what would be the standard for distributing the funds. The traditional models for distributing funding from SANDAG may need to be reevaluated for water quality. The group also questioned whether an EIR was required. The topic of an EIR was discussed in the last SWG meeting and is still under consideration.

### **Next Steps**

The next meeting was rescheduled to Thursday, May 27, from 1:00 to 3:00 p.m. The location will be determined.