

County of San Diego Water Quality Working Group

Tuesday, January 19, 2010

Time: 9:00 – 11:00 a.m.

County of San Diego Watershed Protection Program

Watershed Conference Room

5201 Ruffin Road, Suite P, San Diego, CA 92123

Meeting Summary

Attendees

Matthew Adams, Building Industry Association, San Diego

Michael Beck, Endangered Habitats League

Midori Wong, SANDAG

Stephanie Gaines, County of San Diego

Michael Drennan, Weston Solutions

Erik Larson, San Diego County Farm Bureau

Candis Compton County of San Diego

Cid Tesoro, County of San Diego

Stephanie Bauer, Port of San Diego

Kim Williams, Geosyntec

Todd Snyder, County of San Diego

Sara Katz, Katz & Associates

Lewis Michaelson, Katz & Associates

Jess Young, Katz & Associates

Welcome and introductions

The facilitator thanked the group for attending, introduced himself and described his role in the Water Quality Working Group. Attendees introduced themselves and what organization they are representing.

Housekeeping

The group confirmed they will meet the third Tuesday of each month, from 10 a.m.-12 p.m. at the current location, County of San Diego offices, Watershed Conference Room.

Review Mission Statement and Principles of Participation

The facilitator reviewed the Mission Statement and Principles of Participation with the group and explained they would use them as a guide for how the meetings will be conducted. The working group members accepted the Mission Statement and Principles of Participation as drafted.

Overview of Quality of Life Stakeholder Working Group

Midori Wong, San Diego Association of Governments (SANDAG), presented background information on the Quality of Life Stakeholder Working Group (SWG). She noted that there are two origins to the Quality of Life effort; the first comes from the San Diego Regional Comprehensive Plan, specifically one component called the Integrated Regional Infrastructure Strategy (IRIS). The 2004 IRIS was developed in response to the demands for infrastructure in

the region that were unfunded or underfunded. Issues that were identified in the IRIS process as lacking dedicated funding resources were habitat conservation, shoreline preservation, water quality enhancement and transit operations.

Ms. Wong reviewed the second Quality of Life origin, the *TransNet* Extension Ordinance, which contains language that requires SANDAG to act on additional regional funding measures to meet the long-term requirements for implementing habitat conservation plans in the San Diego region by November 2012. She noted the following as key milestones for SANDAG's Quality of Life effort:

- Expenditure Options Jun 2010
- Focus Groups Sep 2010
- Public Info Survey Jan 2011
- Final Expenditure Plan Jun 2011
- Ballot Language Mar 2012
- Environmental Review Jun 2012

The work effort to date includes the creation of the SANDAG Quality of Life Ad Hoc Steering Committee, the creation of the Quality of Life Stakeholder Working Group (SWG), a partnership with the County of San Diego for the water quality element, a stakeholder workshop, a public involvement/education program and independent polling and stakeholder interviews. The Quality of Life SWG includes representatives from existing working groups including the Environmental Mitigation Program (EMP) Working Group, the Shoreline Preservation (SP) Working Group and this group. Other representatives include regional agency leaders, environmental, transit, taxpayers and business and economic development interests.

The Quality of Life SWG's main responsibility will be to provide input to the Quality of Life Ad Hoc Steering Committee on funding mechanisms and priorities for regional quality of life programs that lack an identified, reliable, and sustainable funding stream, such as those identified in the 2004 IRIS. Finally, Ms. Wong shared with the group the fluid timeline and key tasks that the SWG will work toward.

Q: Is there a master calendar that shows the meeting schedule?

A: Yes, there is a master schedule on the sandag.org/qofl Web site. This is the main page for Quality of Life and links to the Ad Hoc Steering Committee, Quality of Life SWG Web pages, where the master calendar is located.

Mr. Michaelson noted that the dates listed on the master calendar are still moving targets. It will be important to monitor the progress of the various committees to ensure one is not so far along or behind, that it falls out of sync with what the others are doing.

Q: In the schedule, it seems like there is a quick jump from coming up with funding needs and putting a measure on the ballot. There seems to be a missing step. How is the bridge built from the final expenditure plan to developing ballot language?

A: All of the steps will be iterative; input and feedback will go up to the Ad Hoc Steering Committee and back down to the SWG. The commitment is to act on additional regional funding measures. This could be interpreted as a regional sales tax, but the SWG will also look at alternative funding mechanisms. SANDAG hopes the SWG will provide feedback on an appropriate funding mechanism, whether that is a ballot measure or not.

Q: What is the legal opinion the group should expect about the need to do an environmental impact report?

A: There was recently a State Supreme Court case in Santa Barbara where the regional transportation committee prepared a ballot with non-specific project language and determined no California Environmental Quality Act (CEQA) review was needed. They were sued for their lack of CEQA review, but Santa Barbara County prevailed. Environmental impact reviews take a long time, so if a legal precedent was set not requiring the CEQA review depending on the language of the measure, it would change the amount of time SANDAG has to develop an expenditure plan. It was one very new case, so at this point; SANDAG would like to anticipate the need for the environmental review to be on the conservative side. SANDAG staff will continue to monitor the situation.

Mr. Michaelson said that SANDAG is currently waiting for an opinion from its general counsel. Hopefully by the next meeting, there will be a more definitive answer.

Q: Is the water quality discussion at the SANDAG Board Summit going to be Thursday or Friday?

A: It is unknown right now.

Water Quality Working Group Background

Mr. Michael Drennan, Weston Solutions, gave an overview of the Water Quality Working Group. He reviewed the Working Group's objectives and explained that the group's mission is to provide input to the Quality of Life SWG and assist in the development of a regional water quality needs assessment and priorities.

At this point, the County of San Diego is participating on the Quality of Life Ad Hoc Steering Committee, contributing its stormwater quality expertise and has been invited to lead the water quality element. Mr. Drennan presented the timeline for the group, noting that it follows a similar path to the SWG schedule. He asked the group to review it and provide feedback if there are any questions or concerns.

Mr. Michaelson noted that the third meeting topic for the SWG, "alternative funding mechanisms," will include an explicit acknowledgement of alternative funding mechanisms and

the group plans to have a discussion about all options that ultimately may come up with a composite approach to infrastructure funding.

Mr. Drennan suggested that funding needs may exceed an individual funding source's capacity or the voters' appetite. It is important to get our arms around the total picture, in case the group needs to recommend evaluating a variety of funding options.

Integrated Regional Water Management Plan

The county recognizes the Integrated Regional Water Management Plan (IRWMP) process is in progress and was initiated because of a statewide proposition passed to provide funding to counties for water supply and water quality needs. There is currently no local dedicated revenue stream, and the State provides money to counties through a grant process. The County of San Diego wants to ensure the WQWG understands the IRWMP process and how it can leverage that process and not reinvent the wheel.

Needs assessment

Mr. Drennan showed the group a graphic that notionally compares the current funding to what is needed to address the region's water quality infrastructure needs. SANDAG recognizes water quality is an underfunded problem within the County of San Diego. The Water Quality Working Group is tasked with evaluating and quantifying this and submitting an estimate of what it thinks the needs and priorities are to SANDAG.

Comment: Would Mr. Drennan's work in Los Angeles work for this process? Would the criteria fit our process?

Response: Yes, the criteria used in the Los Angeles process can certainly be introduced into this group.

Comment: There may be some obsolete data the group can review from a 2002 San Diego Dialogue draft report.

Response: Yes, that is why it is important to also tie in the IRWMP process. There will be a lot of information sharing and the group can pull from that process. There is value in looking at previous studies done in California to see what it costs to achieve water quality goals that have been established, and start from there.

Q: What is the date to hand over the needs assessment and dollar amount to SANDAG?

A: The County of San Diego is aiming to have something high-level with a gross number by September 2010. It will depend on the Quality of Life SWG's schedule as well.

Comment: The economic implications of not meeting the regulatory standards are significant. It is important the group recognizes the financial consequences of not achieving the targets established by federal law and implemented by state law. The state's position is that they are simply implementing federal policy, and because of that linkage, they do not have to supply the

funding. It is very important to use any empirical evidence that has already been created. It can be used and put forth quickly to determine anticipated costs, what the needs are and what the public might have an appetite for.

Q: The jurisdictional issues could be hugely problematic because the County of San Diego shares watersheds with Imperial, Orange and Riverside Counties. How does that all get mixed in? Is there a process for coordination?

A: The immediate process is to work with the lead co-permittees. Region 7 (eastern San Diego County and Imperial County) was invited to be on this working group, but not Riverside or Orange Counties. They would certainly be welcome to participate.

Comment: San Diego taxpayers will not want to raise the funding to clean up the Santa Margarita Watershed contamination that emanates from outside the county. From a regulatory standpoint, however, the point of origin becomes irrelevant; if polluted water makes its way into the city of San Diego, the city needs to deal with any associated problems.

Comment: The County of San Diego confronts this problem regularly in its Watershed Management Programs. However, if funds are being raised for the County of San Diego, they must be used in County of San Diego. We cannot use those funds to address pollution sources upstream of our county.

Comment: That is the reason why it is important to come up with regional solutions; to capture existing and new projects and ensure they are cost-effective.

Identify representative and alternate for Quality of Life Stakeholder Working Group

Stephanie Bauer, Port of San Diego, was selected to be the alternate representative on the Quality of Life Stakeholder Working Group. The group determined it will wait until the next meeting to select a primary member. If no one is forthcoming, Stephanie may serve as the primary representative to the SWG.

Next committee meeting & action items

The facilitator noted that the SANDAG Quality of Life Community Mapping process produced a lot of different opinions about what water quality means, what is worth protecting and what is unfunded. These questions and ideas will be discussed at the next meeting, so the group knows ultimately what types of water quality programs and funding needs need to be identified and quantified.

The next meeting will be February 16, 2010, at 10 a.m. A link to the IRWMP and a group roster will be sent out, and the 2002 San Diego Dialogue draft report will be distributed at the next meeting. The PowerPoint presentations from the meeting will be posted to the County of San Diego's Web site.