



project clean water

Science and Technology TAC Basin Planning Issues Technical Workgroup

Meeting Summary
February 13, 2003

The Basin Planning Issues Technical Workgroup met on February 13, 2003 to discuss basin planning activities in other regions of the state, and specifically about the role of stakeholders in those efforts. Sheri McPherson, County of San Diego, opened the meeting by introducing the two primary speakers.

Triennial Review in Region 8

Larry McKenney, County of Orange, discussed the recent triennial review of the Region 8 Basin Plan, including a description of the approach taken by stakeholders in that effort. He defined the stakeholder approach in Region 8 as a collaborative partnership. Stakeholders, which include municipalities (cities and counties), the private sector (large developers and regional business councils), and the Santa Ana Watershed Project Authority, have not only collaborated with one another in defining goals and desired outcomes, but have also partnered with the Regional Board in financially supporting the triennial review effort. Mr. McKenney described the following three tenants as guiding the collaborative effort:

- The collaborative approach should be driven by consensus. Moreover, prior to entering the process, all partners must understand that no desired results or changes are guaranteed. Reevaluation may actually result in more stringent standards. Regardless, a collaborative approach is preferable in that it lends a certain legitimacy to the results of the triennial review once it has been completed.
- Partners must recognize that Regional Boards have limited resources with which to conduct triennial reviews. As such, stakeholders in Region 8 have offered up some of their own resources to support the effort. Work is currently being conducted to execute an agreement between stakeholders and the Regional Board to make this happen. The partnership agreements will include language to distinguish funding partners from non-funding partners. Orange County's costs will be coming from the shared costs portion of the NPDES budget. Mr. McKenney also noted that Orange County has some funds available for San Diego basin planning efforts should a similar approach go forward in Region 9.
- A split approach, in which a broad vision is pursued simultaneous with focused work on identified tasks, is most likely to be effective. The broad vision takes into consideration the fact that limited information was available when Basin Plans were written in the 1970s. As such, assumptions made at that time must be re-visited to ensure that they are still applicable and appropriate today, especially in light of the many costly decisions that municipalities, private interests, and others are

being forced to make. Focused work includes the identification of tasks, organization of work into phases, and prioritization based on consensus.

The issues of greatest concern identified by Region 8 stakeholders include updating the REC-1 Objective and considering Water Code Section 13241 factors (impact on economic development, housing needs, etc.) in developing requirements and other water quality standards.

Finally, Mr. McKenney suggested that the designated triennial review period need not be the only opportunity to review and/or change the Basin Plan. In fact, the collaborative process discussed above lends itself to a continual review process that could, in effect, replace the triennial review.

Triennial Reviews Across the State

Larry Walker, Larry Walker and Associates, discussed some triennial review efforts in other regions throughout the state. Mr. Walker prefaced his discussion by noting that the intent of triennial reviews as written in the law has not been fulfilled. While the intent is to re-visit water quality standards based on new scientific information, in reality, triennial reviews have largely consisted of Regional Board “wish lists” about the Basin Plan issues that they would like to see addressed. This is largely due to limited resources.

- San Francisco Bay – Wastewater agencies in the San Francisco Bay region faced with stringent copper objectives realized that without adjustment, they would be faced with exponential increases in treatment plant costs. They therefore initiated a collaborative effort to develop site-specific copper objectives, using water-effects ratios to demonstrate that copper is not as toxic in real water as it is in laboratory water. This effort involved the contribution of funds from affected parties to support the studies and peer review necessary to complete the project. Total costs were roughly \$500,000.
- Los Angeles / San Gabriel Rivers – A similar effort was employed to develop site-specific ammonia objectives for the Los Angeles / San Gabriel Rivers. Dischargers funded efforts to develop a work plan, conduct studies, and hire peer reviewers to address this issue. The Environmental Protection Agency (EPA) identified this as a noteworthy example of a successful collaborative effort. Total costs were roughly \$250,000 - \$300,000.
- Central Valley – A collaborative effort was also employed in developing site-specific objectives for turbidity, temperature, and pH in effluent-dependent waters in the Central Valley. In this case, collaboration was conducted with both the Regional Board and The Department of Fish and Game. Total costs were roughly \$1 million.
- Calleguas Creek – Some years ago, at the urging of the local Regional Board, dischargers in the Calleguas Creek Watershed initiated development of a watershed plan. However, several years into the process, the Regional Board, pursuant to a consent decree, issued a TMDL for chloride at levels that would have required reverse osmosis at the wastewater treatment plant to achieve. As this would have proved prohibitively expensive, and fundamentally contradicted the watershed approach, stakeholders in the region approached the Regional Board about entering into a collaborative process to reevaluate standards. Total costs were roughly \$3.5 - \$5.5 million, but covered approximately 25 TMDLs.

Mr. Walker suggested that reevaluating standards as part of the TMDL development process would be an effective approach. Not only are the data collection requirements similar for these two processes, but developing a TMDL is essentially the same as developing an implementation program, which defines required management practices. Identifying management practices would

enable a more thorough consideration of 13241 factors (i.e. economic impact, need for housing, and need for recycled water) to balance water quality goals with other social interests.

Mr. Walker suggested that the lessons to be learned from these four examples are:

- In all cases, discharges were ultimately compelled to fund the projects themselves. Reevaluating standards is comparatively cheap when compared with the costs of litigating or of implementing programs to achieve potentially specious water quality standards.
- Stakeholders may pursue a collaborative effort to reevaluate standards at anytime, not only during the designated triennial review period.
- A long-term funding solution to basin planning review may be a statewide bond issue.
- Multi-party agreement about the scope of any reevaluation efforts must be reached prior to initiating work. For example, which are the particular standards that will be addressed? And who are the peer reviewers that will be hired?

Finally, Mr. Walker noted that a loosely defined group of interests at the state level is planning to re-look at standards on a state basis. One of the issues they may consider is: To what extent were 13241 factors considered when developing water quality standards? This group has also discussed the idea of conducting a national survey of how other states are addressing basin planning issues.

Overview of “Basin Plan and the Clean Water Act” Conference

Rosanna Lacarra, MEC Analytical, provided attendees with an overview of a recent basin planning conference hosted by the Urban Water Institute. She noted that in addition to many informative presentations (i.e. history of the Clean Water Act, paper on the role of science in developing regulatory programs) there was much discussion about the original intent of the Clean Water Act. For example, certain portions of the Act were intended for particular, specified discharges, but are now being applied to stormwater. Also, many argued that economic considerations were not factored in to programs perhaps as much as they should have been. It was noted that many materials from the conference are posted on the Urban Water Institute website at www.urbanwater.com.

Other Issues

Sheri McPherson noted that the County of San Diego is considering preparing comments with other stakeholders on total dissolved solids (TDS) and nutrient standards in the Basin Plan prior to closure of the triennial review comment period on March 13. She encouraged interested parties to collaborate on, or review, these comments.

Ms. McPherson also noted that a course intended to educate local stakeholders about federal and state water quality standards is being scheduled for April. She encouraged all to attend.

Next Meeting

The next meeting of the Basin Planning Workgroup will be conducted on March 11, 2003 (1 – 3 PM) at the City of San Diego’s Metro Biosolids Facility. At this meeting, stakeholders will share notes about what comments will be submitted to the Regional Board.

**Basin Planning Issues Workgroup
February 13, 2003
Attendees List**

Christina Arias –San Diego Regional Water Quality Control Board
Art Coe - San Diego Regional Water Quality Control Board
Paul Gebert – San Diego County Water Authority
Karen Helyer – Port of San Diego
Eric Klein – County of San Diego
Ruth Kolb - City of San Diego, Stormwater Program
Rosanna Lacarra – MEC Analytical
Sheri McPherson - County of San Diego
Jeffery Pasek – City of San Diego, Water Department
Todd Snyder - County of San Diego
Cid Tesoro - County of San Diego
Nancy Winiarz – Port of San Diego
Larry McKenney – County of Orange
Larry Walker – Larry Walker and Associates
Lisa Kay – MEC Analytical
Art Barnett – MEC Analytical
Arlene Dea Deeley – City of San Diego Water Department
David Keith – Ancier Environmental
Jason Mooney – City of El Cajon
Lesley Dobalian – San Diego Regional Water Quality Control Board
Daniel Arvizo – City of Lemon Grove
JoAnn Weber – County of San Diego