

**San Diego Bay Watershed Management Area Copermittee
Meeting Minutes
December 15, 2015 10:00am
County Operations, 5510 Overland Avenue, 2nd Floor**

Attendees:

Organization
Amec Foster Wheeler (Amec)
City of Chula Vista (CV)
City of Coronado (COR) – via telephone
City of Imperial Beach (IB)
City of La Mesa (LM)
City of Lemon Grove (LG)
City of National City (NC)
City of San Diego (SD)
County of San Diego (County)
D-Max Engineering, Inc. (D-Max)
Port of San Diego (Port)

1. Call to Order

2. Roll Call

- All participants introduced themselves.

3. Time for public to speak on items not on the agenda

- No members of the public were present at the meeting.

4. Approve meeting minutes from November 17 meeting.

- Meeting minutes were approved without further modification or edits.

5. Update on Regional Board commenting timeline for the WQIP

- The Regional Board has estimated that they will provide comments on the WQIP in January 2016.
 - Initial feedback from Regional Board staff is that the WQIP will be conditionally accepted, and the conditional acceptance letter will identify selected portions of the WQIP that need to be revised. Regional Board staff indicated that they had comments on the Monitoring and Assessment Program (see item 6 below) and that, while they had not yet completed a thorough review of the rest of the September 2015 WQIP, they did not expect significant comments on the remainder of the WQIP.

6. Discuss response to Regional Board comments on Monitoring and Assessment Program

- A meeting with Regional Board staff was held on Wednesday, December 9 with the County, SD, and the consulting team to discuss the Regional Board's comments on the Monitoring and Assessment Program (MAP), which had initially been discussed briefly over the phone between Regional Board staff and IB. The initial comments were that one long term monitoring station (LTMS) per hydrologic unit (HU) was necessary, and that only having one LTMS in the San Diego Bay Watershed Management Area (WMA) was not sufficient to support implementation and adaptation of the WQIP, citing Permit Section D.1.b.

**San Diego Bay Watershed Management Area Copermittee
Meeting Minutes
December 15, 2015 10:00am
County Operations, 5510 Overland Avenue, 2nd Floor**

- The San Diego Bay Copermittees present at the meeting and the consulting group explained the monitoring within the San Diego Bay WMA that has previously been done and that is proposed in the WQIP. Points raised by the Copermittee representatives at the meeting included the following:
 - Responsible Parties in the San Diego Bay WMA have added monitoring programs designed to allow them to track progress toward the numeric goals stated in the WQIP. Also, it may take decades before statistically significant trends appear in LTMS data, so adding LTMS data would not be the best mechanism to help Copermittees evaluate strategies and adaptively manage their programs.
 - In addition to the Sweetwater LTMS proposed in the WQIP, significant receiving water monitoring is also proposed at two stations in Chollas Creek due to the Chollas TMDLs. The analyte list is not completely consistent with the LTMS analyte list included in the Permit, but it includes a wide range of pollutants and toxicity. Based on the long term historical data record at Chollas from the Regional Monitoring Program, it is unlikely that adding the constituents on the LTMS analyte list in the Permit to what is already being monitoring in Chollas will result in identifying new constituents of concern that have not already been identified.
 - Monitoring has already been completed during the current Permit term, as part of the Transitional Monitoring Program, at a Mass Loading Station (MLS) in Chollas Creek and at a Temporary Watershed Assessment Station (TWAS) in the Otay River.
- Regional Board staff agreed that the monitoring programs proposed in the WQIP should provide data necessary to adapt strategy implementation and measure progress toward numeric goals. They stated that the function of adding two more LTMS was to maintain and add to existing data sets at the Chollas MLS and Otay TWAS so that a broad set of data would be available when priority conditions are reassessed during future WQIP update processes.
- Based on the discussion of monitoring programs, Regional Board staff proposed the following:
 - Monitoring at the Chollas MLS in the Pueblo HU and at the Otay TWAS in the Otay HU is sufficient for this Permit term.
 - Long term monitoring must be conducted in the next permit term at one station in the Pueblo HU and at one station in the Otay HU in addition to the currently proposed LTMS in the Sweetwater HU.
- The Copermittee representatives at the meeting stated that they would take the Regional Board's proposal back to the group for discussion.
- The Regional Board plans to issue a conditional acceptance letter, and that in the conditional letter of acceptance it would indicate that there was a violation (i.e. needing more than one LTMS, plus anything else they identify). This would require the Copermittees to update the WQIP prior to the WQIP Annual Report due in January 2017. Regional Board staff indicated that violation days would accumulate until the WQIP was revised.

**San Diego Bay Watershed Management Area Copermittee
Meeting Minutes
December 15, 2015 10:00am
County Operations, 5510 Overland Avenue, 2nd Floor**

- The group discussed adding two LTMS in the next Permit term. Based on initial rough cost estimates, assuming the LTMS requirements in the next Permit are the same as those in the current Permit, it appears the cost increase relative to monitoring proposed in the WQIP would be about \$200,000 over the next Permit term. This assumes that the Pueblo HU LTMS monitoring would be completed by adding to the monitoring at a Chollas TMDL station rather than creating an entirely new station.
 - Also, assuming three LTMS and three wet and three dry events per site, nine dry and nine wet weather composite sampling events would be required under the next Permit term. This is the same number of wet and dry events as completed under the current Permit term.
- The overall San Diego Bay group was willing to consider adding two LTMS during the next Permit term, although group members need to check with management about the cost implications. The group also expressed several concerns:
 - Because needing more than one LTMS had not been mentioned in previous comments and because the Permit does not explicitly require more than one LTMS, it does not seem appropriate to characterize the issue as a violation.
 - It was unclear if additional significant comments would arise before Regional Board review of the document had been completed. The group would like to confirm that the addition of the two LTMS is the only significant comment.
 - SD has received a similar comment in at least one other WMA and was having internal discussions about how to respond. SD could not commit to adding new LTMS, pending the results of these discussions. Other jurisdictions also expressed concern about hearing whether additional watersheds also were receiving similar comments and, if so, whether a regional response should be considered.
 - If the WQIP must be updated before the WQIP Annual Report due in January 2017, it is unclear what kind of public review process, if any, is required.
 - If the additional LTMS monitoring is not required until the next Permit term, it is unclear why committing to additional LTMS stations could not be done in the next WQIP Annual Report or in the Report of Waste Discharge (ROWD).

Actions:

- *All RPs:* If there is any feedback from jurisdictional attorneys, inform the Washed Lead and Coordinator before the follow up meeting with the Regional Board staff.
- *IB:* Further discussion between the watershed lead and consulting team and the Regional Board staff will occur before the Regional Board submits their comments.
 - The overall feeling and concerns of the group will be conveyed.
 - The San Diego Bay Watershed group wants to work with the Regional Board, but stating that the group is in violation due to not having two more LTMS, in the absence of the clear Permit requirement to do so and without this issue having been raised in previous comments, will make this kind of collaboration difficult.

**San Diego Bay Watershed Management Area Copermittee
Meeting Minutes
December 15, 2015 10:00am
County Operations, 5510 Overland Avenue, 2nd Floor**

- A request will be made to the Regional Board staff to revise the language in the conditional acceptance letter so that it does not characterize having one LTMS as a violation.
- A follow-up discussion with the Regional Board staff will occur before the comment letter is released to further discuss the monitoring approach and timing, and to verify that there are no other significant comments on the WIQP.

7. Discuss Report of Waste Discharge timing and implications monitoring data reporting

- A meeting was held on Thursday, December 10 to discuss the ROWD timing process.
- The ROWD, Regional Monitoring and Assessment Report, and Annual Report are split across the 16-17 and 17-18 fiscal years.
- The ROWD is due 180 days before the end of the permit term.
 - End of permit term: June 27, 2018
 - ROWD due: December 27, 2017
 - Annual Report due: January 2018
- The County and SD are working on an outline and organizing the Annual Report and Regional Report framework.
 - Along with a regional chapter that will require a collective effort, each watershed will have its own chapter in the Regional Monitoring and Assessment Report. The San Diego Bay WMA needs to budget for writing its chapter of the Regional Monitoring and Assessment Report.
 - Each WQIP Annual Report will be watershed specific.
- If all jurisdictions can complete and submit data for their dry weather MS4 outfall monitoring programs for the 16-17 monitoring year before June 2017, then the same dataset will be used in the Regional Monitoring and Assessment Report and WQIP Annual Report.
 - If jurisdictions cannot complete monitoring by June 2017, then the monitoring will have to be repeated for the WQIP Annual Report and will not match the dataset used in the Regional Monitoring and Assessment Report. This may also increase reporting cost somewhat since two different datasets will be used for the two different reports.

Action:

- *All RPs:* Discuss with their jurisdictional monitoring lead to see if all the 16-17 dry weather MS4 outfall monitoring can be completed such that the data can be delivered by the end of the 2017 fiscal year (June 30, 2017).

8. Update on 2016-2017 watershed workplan and budget development

- An outline for the 16-17 ROWD and Regional Report is currently under development.

**San Diego Bay Watershed Management Area Copermittee
Meeting Minutes
December 15, 2015 10:00am
County Operations, 5510 Overland Avenue, 2nd Floor**

- Budget related to the ROWD preparation, including the San Diego Bay chapter of the Regional Monitoring and Assessment Report, will be included in the overall draft budget for 2016-2017. Part of this budget will be in 2016-2017, and part will be in 2017-2018.
- Budget preparation will attempt to schedule work such that there are not dramatic differences in the budgets for 2016-2017 and 2017-2018.

9. Other items (time permitting)

- The County is holding a meeting on Tuesday, December 22 to present the Proposed Trash Amendment. A second presentation reviewing the same key points will be held in January 2016. Attendance from the Copermittees is welcome.