



**Regulatory Workgroup  
Meeting No. 3**

**May 29, 2012 o 10:00 am-1:00 pm  
San Diego County Water Authority**

**Draft Notes**

*Action items in italics*

**Attendees:**

Bruce Posthumus, San Diego Regional Water Quality Control Board	Iovanka Todt, Floodplain Management Association
Toby Roy, San Diego County Water Authority	Mark Umphres, Helix Water District
Jeff Pasek, City of San Diego	Jeremy Jungreis, US Marine Corps, Camp Pendleton
Leslie Dobalian, San Diego County Water Authority	Mo Lahsaie, City of Oceanside
Jeremy Haas, San Diego Regional Water Quality Control Board	Scott McClelland, Sweetwater Authority
Ruth Kolb, City of San Diego	Kimberly O’Connell, UCSD
Eric Larson, San Diego County Farm Bureau	Catherine Tyrrell, RMC Water and Environment
Todd Snyder, County of San Diego	Michael Welch, Consultant Team
Mark Stadler, San Diego County Water Authority	Lewis Michaelson, Katz and Associates

**1. Welcome and Introductions**

Michael Welch welcomed the group, who did self-introductions.

**2. Chair Reports/Opening Statements**

Group facilitator L. Michaelson reviewed the overall objectives of the meeting, which included:

- Refining collaborative issues discussed at the last meeting
- Prioritizing collaborative issues
- Reviewing the group report focus and development plan

Work Group Chair I. Todt noted that the meeting agenda reserved most of the time for a facilitated exercise to focus in on higher priority issues/collaborative approaches discussed at the last meeting.

Work Group Co-Chair M. Lahsaie noted that the technical team had distributed a handout entitled "Regulatory Work Group Objectives and Key Activities" that outlined a suggested approach and schedule for remaining meetings and development of the work group report. C. Tyrrell reviewed the focus of prior and proposed Work Group meetings. She noted that Meeting No. 1 focused on group organization and ground rules, and Work Group No. 2 focused on brainstorming potential issues of common interest to the Regional board and IRWM Program. She presented the technical team's recommendation that the scheduled July 29, 2012 Work Group Meeting No. 4 focus on (1) refining a recommended action plan for implementing prioritized collaborative opportunities, and (2) soliciting initial work group direction and comments on preliminary sections of the work group report. Work Group Meeting No. 5, which would be scheduled in August/September, would focus on final review and comments for submittal of the Work Group's report and recommendations to the Regional Water Management Group (RWMG).

J. Pasek reminded the Work Group that key focus of the Work Group is to support the update of the IRWM Plan. He noted that the purpose of updated IRWM Plan is to guide the funding of projects that meet regional objectives. He observed that a number of the IRWM Plan objectives closely match priority goals identified by Regional Board staff. He also observed that a workable goal for the Work Group would be to identify one or two important and meaningful opportunities for IRWM/Regional Board collaboration.

### **3. Group Prioritization Exercise and Discussion**

Work Group Facilitator L. Michaelson reviewed potential issues identified in Meeting No. 2 that may be of interest to the IRWM Program and Regional Board. He noted that the Work Group had identified 28 potential issues of interest, and the technical team had grouped these issues into the following five categories:

- I. Communication
- II. Basin Planning
- III. 303(d) Lists/TMDLs
- IV. Data collection, assessment, and management
- V. Restoration/mitigation

Recognizing that appropriate Basin Plan objectives, 303(d) lists, and TMDLs are tied into ensuring the health of ground and surface waters and developing sustainable local water supplies, the Work Group noted that these potential categories of collaboration fit with the Regional Board staff "priority themes" identified in prior Work Group meetings, which included:

- effective communication and stakeholder input,
- sustainable local water supplies,

- ensuring the health of ground and surface waters,
- effective monitoring and data management, and
- innovative restoration.

L. Michaelson led a group exercise to gauge opinions of Work Group participants on the relative importance of potential collaborative issues of interest. As part of the exercise, the 28 potential issues of interest were listed on poster boards, and 28 stickers were issued to each meeting participant. Participants were instructed to allocate their stickers to the issues they believed were of greatest importance within the five categories, placing more numerous stickers on issues they rated as highly important and not placing stickers on issues they deemed to be unimportant. Work Group participants were each also provided with two "highest priority" stickers to place on the one or two issues they believed to be the most important among the 28 issues of interest.

Table A (pages 6 and 7) summarizes the results of the preliminary Work Group polling exercise. Table A also presents a summary of key Work Group comments on the various potential issues of interest, and not as a "representative" poll.

Because the majority of the Work Group is comprised of public agencies (with fewer NGO or regulator participants), L. Michaelson cautioned that the poll results would be most instructive in assessing issues of interest that received all of the following (1) a large total number of sticker "votes", (2) a large number of different Work Group participants voting on the issues, and (3) a large number of "highest priority" stickers. Issues of interest that received high marks in all categories are indicative of issues that receive both strong and broad Work Group support. As shown in Table A, the Work Group rates the following three issues as receiving strong and broad Work Group Support:

**Basin Planning Issue II.B/F**

Need to scientifically update relations between Basin Plan objectives and beneficial use protection.

**Data Management Issue IV.D**

Ensure that monitoring data are useful and effectively assessed.

**Restoration and Mitigation Issue V.B.**

Regional prioritization of restoration opportunities and needs.

The following summarizes Work Group comments and rationale on prioritizing the 28 potential issues of interest related to communication, Basin Planning, 303(d)/TMDLs, data management, and restoration and mitigation.

**Communication.** In general, Work Group participants agreed that support for Issues I.A, I.B, and I.C indicated that better understanding would benefit both regulators and IRWM stakeholders. The Work Group determined that I.A and I.B were sufficiently similar and should be combined as one, and noted that improved communication between the IRWM Program and Regional Board can be achieved through:

- Existing institutional processes such as the Regional Advisory Committee (RAC) or Regional Water Management Group (RWMG), or
- Individual projects funded through the IRWM Program that include components for improved stakeholder/Regional Board communication or information exchange.

**Basin Planning.** Water quality objectives and implementation policies in the Basin Plan form the basis for regional water quality regulation and beneficial use protection. As a result, the Work Group participants showed significant interest in ensuring that appropriate Basin Plan objectives and implementation policies are established. The Work Group noted Regional Board's increased emphasis on stakeholder input in the Basin Plan process. As a result, the Work Group poll placed less emphasis on Issue II.C (increase stakeholder input).

The group noted that strong and diverse Work Group support was evident for Issue II.B (scientific based objectives) and Issue II.F (seasonal/flow-based water quality objectives). Issue II.G (promote indirect potable reuse) was considered a sub-set of the desire to ensure that Basin Plan objectives are supporting of beneficial uses.

Regarding issue II.C (biological objectives), the group noted that IRWM stakeholder emphasis on this issue was lessened by the fact that the Regional Board and State Board are already working toward the development of biological objectives.

Work Group support for salinity/nutrient management planning (Issue II.E) was primarily from public agencies involved in recycled water or groundwater projects.

**303(d)/TMDLs.** While noting that 303(d) and TMDL processes are largely driven by federal regulations and state policies, Work Group participants expressed a shared desire to ensure that 303(d) listings are based on robust and representative data. Work Group participants noted that streamlining the 303(d) listing process (Issue III.D) may have received little support in the prioritization exercise because the IRWM process is unlikely to be able to influence this process.

The group noted significant increases in stakeholder participation in the Regional Board's 303(d) and TMDL processes in recent years, but Work Group participants cited a few examples where limited monitoring data that were not representative of typical flow or seasonal conditions were utilized as a basis for past 303(d) listings. Concerns were expressed that stakeholder input needs to come early in the 303(d) listing process, as a perception exists that the Regional Board and State Board rarely modify or revise the listings once they are proposed Regional Board staff.

**Data Management.** Strong and diverse work group support was voiced for the need to ensure that collected data are useful and effectively analyzed. B. Posthumus noted that this was a key Regional Board concern. He noted that the Regional Board is currently developing a proposed revised regional monitoring and assessment framework<sup>1</sup> that focuses on reducing discharger-based "end-of-pipe" monitoring in favor of a regional water body-based monitoring and assessment program. The water body-based

---

<sup>1</sup> As set forth in the Regional Board's "A Framework for Monitoring and Assessment in the San Diego Region (Working Draft, May 2012). Available at: [www.srwcb.ca.gov/sandiego/board\\_info/agendas/2012/jun/item9/eosr0612MonitoringFramework.SD1.pdf](http://www.srwcb.ca.gov/sandiego/board_info/agendas/2012/jun/item9/eosr0612MonitoringFramework.SD1.pdf)

monitoring and assessment program would be directed toward assessing the health of water bodies, identifying the causes of adverse conditions, and evaluating the effectiveness of management actions. B. Posthumus also noted value in data collection both to address specific needs or questions, and to support long-term assessment needs. Work Group comments and poll results suggested broad Work Group support for and interest in the overall revised regional monitoring framework approach currently being developed by the Regional Board that is based on question-driven data collection and assessment.

Work Group participants also noted that the IRWM program has numerous projects related to data collection, and that improved communication/coordination with the Regional Board could help ensure that the data are effectively utilized.

**Restoration and Mitigation.** Strong and diverse Work Group support was voiced for Issue V.B (prioritizing restoration needs). Work Group members also indicated an overall opinion that such an effort could benefit from collaboration between the IRWM Program and Regional Board. The group further noted that this effort could lead to the development of pre-approved Supplemental Environmental Projects (SEPs) that are in keeping with prioritized regional restoration needs.

Work Group support was also in evidence for Issue V.A (streamline vegetation removal permitting), but the group noted that existing regulations and the large number of regulatory agencies involved may constrain the potential for regulatory streamlining. Work Group participants also noted that any such streamlining effort may require the participation of other agencies such as California Department of Fish & Game, U.S. Fish & Wildlife Service, and U.S. Army Corps of Engineers.

#### **4. White Paper Focus and Approach for Developing Action Plan**

M. Welch noted that the Work Group recommendations would be presented in a document the technical team is now calling a "Work Group Report". In prior meetings, this report had been called a "white paper", but several Work Group members had noted that the term "white paper" has multiple definitions, and the term "Work Group Report" more accurately reflects the fact that the report is a compilation of Work Group proceedings and recommendations.

J. Haas noted that the Regional Board is currently working on a strategic plan, which may be issued in draft form late in 2012. He indicated that the strategic plan would likely emphasize the Regional Board staff's priority themes previously presented to the Work Group.

**Direction to Technical Team.** Work Group members noted that several Work Group participants were absent at Meeting No. 3, and that additional input from non-government organizations and the IRWM Regional Advisory Committee(RAC) will be important as the Work Group report is developed.

In support of preparing a draft version of the Work Group report, the Work Group directed the technical team to develop the following for the review and consideration of the Work Group:

- Summarize the results of the Work Group prioritization exercise.

- Present all identified issues of interest identified by the Work Group, but reorganize the issues of interest per the Work Group's direction and show tie-ins to the "priority themes" identified by Regional Board staff.
- Identify recommended action plans for the issues that received broad Work Group support.
- Identify "low hanging fruit" (issues or action plans that can be more easily or readily implemented).
- Evaluate the overall implementability of the recommended implementation actions.
- Prepare and distribute preliminary sections of the Work Group report in advance of the scheduled July 2012 Work Group meeting.

**5. Summary and Action Items**

The Work Group Chair and L. Michaelson summarized the general areas of discussion during the Work Group meeting. The following items were identified that require follow-up action:

- The technical team will coordinate with the Work Group Chair, Vice-Chair, and facilitator to develop the agenda and handout material for the July 24, 2012 Work Group meeting (Meeting No. 4). Agendas and support materials will be distributed one week before the meeting date.
- The technical team will develop a summary of Work Group Meeting No. 3 and distribute the summary to the Work Group members.
- The technical team will develop preliminary sections of the Work Group Report (including recommended strategies for IRWM/Regional Board collaboration to address the prioritized issues of interest) and distribute the Work Group Report sections to the Work Group in advance of Work Group Meeting No. 4.

**Proposed Meeting Schedule.** The Work Group acknowledged that a fifth Work Group meeting would be required, and that remaining Work Group meetings would focus on:

Meeting No.	Proposed Date	Activity
No. 4	July 24, 2012	<ul style="list-style-type: none"> <li>• Identify and prioritize strategies for IRWM and Regional Board collaboration to address the priority issues of interest</li> <li>• Discuss action plans for implementing the priority collaborative strategies</li> <li>• Solicit comments and direction on draft sections of the Work Group Report</li> </ul>
No. 5	Aug/Sept 2012	<ul style="list-style-type: none"> <li>• Review and comment on draft Work Group Report</li> </ul>