

Wayne Chiu - Second MS4 Stakeholder Meeting

From: Jill Witkowski <jill@sdcoastkeeper.org>
To: <lwalsh@waterboards.ca.gov>, Wayne Chiu <wchiu@waterboards.ca.gov>
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Subject: Second MS4 Stakeholder Meeting
CC: <tspanos@sdcoastkeeper.org>, Colin Kelly <colin@coastkeeper.org>

Hi Laurie and Wayne,

I'm sorry to have missed the first stakeholder meeting, but my student attorney Thomas Spanos was quite pleased with how the meeting went. Together we have come up with a few ideas of suggestions for the topic of the next focus meeting:

1. The identification of the highest water quality priorities in the Water Quality Improvement Plans.
 - ? We are concerned about exactly how the Copermittees determine the Highest Water Quality Priorities. If a pollutant is 303(d) listed, must it count as a priority, or are Copermittees free to ignore it?
 - ? Can watershed groups decide how many pollutants they want to identify? What if one watershed picks 1 pollutant and one picks 6? Is there a desire to have consistency?
2. Assessment of Water Quality Improvement Plans prior to approval.
 - ? These plans are the bedrock of the permit and are critical. It also seems that they will be quite involved. Is it possible to phase their review and release (i.e. review assessment, priority pollutant identification, and source identification, then review numeric targets and schedules, then review improvement strategies and schedules?) I'm guessing that the Copermittees will develop these plans over time, and the whole plan hinges on what pollutants are priorities. If the priorities are wrong/misguided, there will be problems with the whole plan. I think it would be in everyone's interest to do a phased review, but I would like to hear from Copermittees and the board staff.
 - ? Public review periods must allow sufficient time to review all plans. It will be a challenge for the board and the public to simultaneously review and comment on 9 individual plans in 30 days. Phasing the review for each plan could alleviate the problem, but so could staggering the plans or giving a longer comment period. I'd like to discuss this with Copermittees and board staff.
3. Discussion of how the requirements of Water Quality Improvement Plans interact with those of the Jurisdictional Runoff Management Plans.
 - ? Who decides if the jurisdictional programs are consistent with the water quality improvement plans? What happens if they are not consistent?
 - ? How do the jurisdictional plans have to reflect the goals of the water quality improvement plans?
 - ? Who is accountable for meeting with water quality improvement plan goals? All the jurisdictions? What if the source contributing to a priority problem is only in one jurisdiction?
4. Discussion of Water Quality Improvement Plans and JURMP Implementation/Updating
 - ? We have questions about the 3 year iterative process for the plans and the annual review process for the JURMPs. What if all the interim goals are set for 4 or more years out? Will the Copermittees really have sufficient information to implement the iterative process on the plan or on the JURMPs? Is there a way to insure they have adequate information and are not going through the motions?
 - ? Given the requirements in B.5.b(1) and B.5.b(3) (JURMP adaptive management), does it mean that Copermittees have to adjust annually and potentially more frequently if B.2.d and B.3.b require it?

? Is there any collaboration required between Copermittees as JURMP iterative process happens? Can a watershed partner force a copermittee to take action to help achieve the watershed goal (i.e. if one partner is not carrying their weight in reducing pollution)?

We would be happy to talk with you about any of these points ahead of time so we can explain or identify key discussion areas. I look forward to seeing you July 11th.

Cheers,

Jill

Jill Witkowski

Waterkeeper

San Diego Coastkeeper

www.sdcoastkeeper.org

2825 Dewey Rd, Suite 200

San Diego, CA 92106

619.758.7743 x119

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