

**CASQA Phase II Subcommittee
Meeting with SWRCB – General Permit Reissuance
December 10, 2007**

DRAFT

On December 10, 2007 the California Stormwater Quality Association (CASQA) Phase II Subcommittee met with the State Water Resources Control Board (SWRCB) to review the approach and schedule for the reissuance of the Phase II General Permit and to initiate discussions regarding the guiding principles and critical permit issues. The attendees included the following:

Attended in Person		Attended Via Conference Call	
Name	Affiliation	Name	Affiliation
Christine Sotelo	SWRCB	Greg Gearheart	SWRCB
Bruce Fujimoto	SWRCB	Paul XX	LAUSD
Eric Berntsen	SWRCB	Chris XX	XX
Walt Shannon	SWRCB	Dustin Murray	Owens
Kelye McKinney	City of Roseville Phase II Chair	Barbara Lynch	City of San Luis Obispo
Delyn Ellison-Lloyd	City of Roseville Ind/Com Lead	Stephanie Reyna	City of Tracy
Jack Betourne	City of Davis Monitoring Lead	Tom Reeves	City of Monterey
Terri Fashing	County of Marin Hydromod/LID Lead	XX	URS
Mack Walker	Larry Walker Associates for CASQA	Joanne Branch	San Diego County Office of Education
Karen Ashby	Larry Walker Associates	Stacey Lawson	Lompoc
		Pam Francis	Lake County
		Dan Cloak	Dan Cloak Environmental Consulting
		Don Milam	City of Manteca
		Dominic Roques	Central Coast Regional Water Quality Control Board (Region 3)
		Cathleen Garnand	County of Santa Barbara

The main topics and points of discussion are briefly summarized below:

1. Welcome and Introductions
 - The State wants to embrace a collaborative approach and discuss the issues with key interested parties such as CASQA, the NGOs, and the Regional Boards
2. History and Background – Permit Reissuance
 - The focus will be on critical issues and will help frame what direction the permit should take
 - A preliminary draft will be developed in late Feb/early March
 - The State is hoping that CASQA can help out and could provide draft language by the end of January. The NGOs will also be provided draft language
 - Kelye noted that CASQA has formed five permit issue teams to address critical issues such as hydromodification and low impact development, monitoring, program effectiveness, industrial/commercial, and program management

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3. Roles and Responsibility – Christine identified that there are four major players at the moment; the State Board, the Regional Water Boards, the NGOs, and CASQA. They are taking preliminary comments from these groups now.
 - a. Mission
 - Christine would like some agreement as to what the mission is for the group so that we can all work towards it. She suggested that the mission could be to focus on critical issues and come to some consensus and adopt the permit by the end of summer
 - Kelye expressed concern about the schedule and that it would be difficult for CASQA to provide draft permit language for all of the issue teams. While some may be easier than others, the Phase II subcommittee will need to provide draft permit language to others for review and comment.
 - Kelye suggested that the mission could be to take the necessary time to develop the permit and then go to the State Water Board with CASQA supporting the revised permit
 - There was some additional discussion about the schedule for the reissuance of the permit. Christine indicated that staff will have to take the discussion into consideration and then revisit the schedule. Kelye reiterated that resolving the issues should be the primary concern and that the schedule should not jeopardize that.
 - b. Meeting Ground Rules – Christine identified the ground rules that the state would like followed during this process. They included the following:
 - Everyone should commit to the process and the schedule. Christine noted that the State really wants to stick to the current timeline for adoption
 - All parties should develop the agreed upon work products
 - c. Expectations and Guiding Principles
 - Kelye indicated that we need to establish some guiding principles to help guide the overall decisions as the permit is revised. These guiding principles can then be consulted as different perspectives are raised – help keep everyone on track.
 - Christine agreed that guiding principles would be helpful
 - Kelye shared the guiding principles that CASQA has developed and offered them as a starting point for the State (see attached).
 - d. Time Schedules and Work Products
 - The State would like to have draft language by the end of Jan/early Feb
 - The State wants to adopt the revised permit by the end of the summer
 - Will likely send out the existing permit in a redline/strikeout so that the changes are more obvious
 - The State will use Kelye as the main point of contact for CASQA
 - Christine noted that they want to reorganize the permit so that it reads more easily. Kelye noted that CASQA will submit a redline.
 - Bruce noted that the revised permit will be somewhat longer than the existing permit, but not as long as many of the Phase I permits – the permit will need some additional specificity.

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4. Critical Issues

a. Brainstorm Critical Issues

- Christine indicated that they have met with and/or taken comments from the Regional Water Boards and the NGOs and have identified key issues from these meetings. The key issues identified include:
 - Permit Renewal Approach – the collaborative approach is supported
 - Permit Specificity – the 2003 permit is not specific enough, there should be fine tooth guidance like the Washington State permit and the Monterey County Practical Plan for Pollution Prevention.
 - MEP – the NGOs would like to have a clearer definition of MEP
 - Guidance – the SWMPs vary widely - the Permittees need guidance for SWMP development and the Regional Water Boards need guidance for reviewing and approving SWMPs.
 - Implementation – the Permittees are given too much time to implement the program
 - Low Impact Development – LID should be for all projects, the definition should be broadened. Should follow the Monterey Practical Plan for Pollution Prevention
 - Receiving Water Limitation Language – this language should be moved from Attachment 4 to the front of the permit
 - Water Quality Monitoring – chemical monitoring should be required
- Christine identified “Common Zones of Agreement” that have been identified as a result of the discussions between the State, Regional Water Boards, and the NGOs. However, it was unclear how some of the items would be translated into permit provisions.
 - Low Impact Development
 - Water Quality Monitoring
 - Industrial/Commercial Inspection Program
 - Program Management
 - Program Effectiveness Assessment
 - Program Administration
 - Non-Traditional Permittees – it was noted that the State is considering a separate General Permit for non-traditional Permittees
- There were also some identified areas of disagreement which included:
 - Prescriptive vs. Non-prescriptive Permit
 - Water Quality Monitoring – the NGOs want extensive monitoring
 - Numeric Effluent Limits
- Kelye noted that there needs to be a decision as to how Phase II communities are viewed. Are there fundamental differences between Phase I and Phase II communities that warrant different permit provisions? State needs to weigh in and incorporate this within the guiding principles.

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b. **Issues Teams**

- Kelye indicated that CASQA has issue teams for the following areas:
hydromodification and low impact development, monitoring, program effectiveness, industrial/commercial, and program management
- It was agreed that a couple of the key areas would be discussed due to the time constraints
- Industrial/Commercial Program
 - There is a desire to include an industrial/commercial program within the permit – cite Tetra Tech reports and the need for such a program
 - CASQA noted that the Phase II communities do not have the same funding as Phase I communities (such as Sac County's program)
 - Dominic noted that the purpose of the inspection needs to be considered – may need a flexible approach including outreach and/or inspections
 - Bruce clarified that an industrial program would be to administer and enforce local codes and ordinances, not the State Industrial General Permit.
- Monitoring
 - There is a desire to possibly include chemical water quality monitoring
 - The monitoring could be used to help determine the effectiveness of the program
 - There was some discussion as to what type of monitoring would be included – receiving water? Outfall? What would the purpose be?
 - CASQA suggested that the State clearly identify the purpose of the monitoring program and, if included, identify the management questions that the monitoring program would seek to answer. Monitoring needs to be discussed more and is very resource intensive.
 - Terri Fashing noted that there has already been a lot of monitoring by SWAMP, Phase Is, NGOs, etc. and that we need more coordination instead of requiring more monitoring. The monitoring would need to be clearly defined and meaningful.
- Non-Traditionals
 - Bruce noted that the State needs help with non-traditionals. Need to understand how the requirements impact them – what happens if there is a conflict local/state?
 - CASQA agreed that this could be added to their list of issue teams and a volunteer sought to help lead the group

5. Action Items

- **Christine to send the presentation from the meeting to Kelye**
- **Christine to send the 2003 Word version of the permit to Kelye**
- **Christine to send the outline of the proposed permit to Kelye (after internal approval)**
- **Christine to develop a schedule with CASQA input**
- **Kelye to send draft Guiding Principles to Christine**