

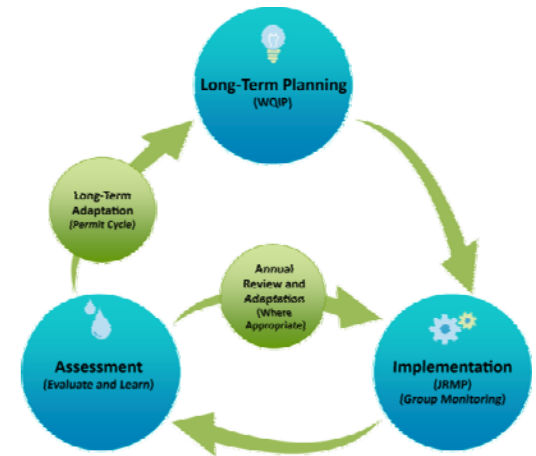
San Diego Regional Water Quality Control Board MS4 Permit Reissuance Focus Meeting: Planning & Implementation

August 22, 2012

Adaptive Management

Overarching Goals:

- Jurisdictional Flexibility
 - Proposing programs that make the most sense.
- Watershed Adaptability
 - Modifying programs in response to what we have learned.



Inventory Priorities

Discussion Point

1: Recognition of watershed priorities within jurisdictional requirements (§II.E.5.a(12), §II.E.5.d(1), §II.E.5.d(3))

2: Broad definition of sources “may potentially generate a pollutant load” (§II.E.5.a)

3: Scope of inventory requirements (MTS, Phase II MS4s, Mobile Home Parks) (§II.E.5.a)

4: Residential sources are fundamentally different from Industrial, Commercial, and Municipal (§II.E.5.a, §II.E.5.d)

Recommendation

1: Programs should emphasize watershed priorities (WQIP) and establish jurisdictional baselines (JRMP)

2: Modify language to focus resources on highest priorities (watershed and jurisdictional)

3: Limit to facilities that Copermittees have the authority to regulate

4: Separate inventory and prioritize residential areas by Residential Management Areas (RMA); see slide 5

Industrial, Commercial, and Municipal (ICM) Inspections

Discussion Point

1: Inspections are required at all inventoried facilities over the permit term (§II.E.5.d(1)(a))

2: Specificity of inspection tracking and records requirements (§II.E.5.d(3))

3: Re-inspection within six months of change in property ownership or change in PGA (§II.E.5.d(1)(a))

Recommendation

1a: Annual inspection obligation should be set at a level equivalent to 20% of entire ICM inventory (# of inspections)

1b: Where appropriate, a source may include multiple facilities

1c: Multiple inspections at a single source, including follow-ups, should each count toward total obligation (20%)

2: Introductory paragraph to section 3 sets a reasonable standard for documentation

3: Copermittees are unable to determine when ownership changes occur; strike requirement

Residential Program

Discussion Point

1: The permit proposes more emphasis on residential sources (§II.E.5.a, §II.E.5.d)

2: Residential Management Areas (RMAs)

3: Residential areas are treated as ICM facilities (§II.E.5.a, §II.E.5.d)

4: Insufficient linkage with IDDE approach (§II.E.5.d)

Recommendation

1: Specify residential as a separate subsection

2: Define residential area assessments in JRMPs and reflect watershed priorities to enable adaptive management

3: Copermittees determine appropriate approaches to managing RMAs:

- Inventory priority and scale
- Planning and assessment methods
- Variety of assessment outcomes

4: Primary focus on program improvement and adaptation; follow up on identified IDDEs as appropriate

Enforcement Response Plans (ERPs)

Discussion Point

1: Prescriptive requirements may not support the development of effective ERPs (§II.E.6)

2: Enforcement response 10 working-day goal for compliance is not achievable (§II.E.6.c)

3: Application of high level enforcement lacks Copermittee discretion (§II.E.6.a(1), §II.E.6.b(1), (§II.E.6.c(1))

Recommendation

1: ERP should differentiate between construction and existing development requirements.

2: Existing municipal ordinances and code enforcement are already established; increase to 30 calendar-days for consistency

3a: Evaluate threat to water quality when considering the potential applicability of high level enforcement
3b: Use discretion in applying high level enforcement

Public Education/Outreach and Public Participation

Discussion Point

1: Development of jurisdictional education and outreach programs that are based on watershed priorities (§II.E.7)

2: Evaluation and assessment are not explicit (§II.E.7)

3: Specific target audiences are identified (§II.E.7.a(3))

Recommendation

1: Address pollutants and behaviors prioritized by watershed and jurisdictions

2: Integrate evaluation and assessment language to support adaptive management

3: Allow Copermittees the ability to identify target audiences based on high risk activities and priorities

BMP Implementation and Maintenance

Discussion Point

1: “Enhancement” of BMPs outside of the strategic planning process is unlikely to be effective (§II.E.5.c(3))

2: Copermittees may not have authority over sanitary sewer agencies (§II.E.5.c(4)(c))

3: Requirement to evaluate stream channel geomorphology related to unpaved road maintenance (§II.E.5.c(4)(b))

4: Retrofits and channel rehabilitation are standalone BMP requirements (§II.E.5.b)

Recommendation

1: Let the strategic planning process, with public review, direct efforts toward WQIP priorities; delete the requirement for “enhanced”

2: Jurisdictions should be encouraged, not required, to keep themselves informed

3: Infeasible to conduct during regular maintenance inspections; exceeds the scope of regular road maintenance activities; strike requirement

4: Provide as subsections under BMP Implementation and Maintenance; see slides 9 and 10

Retrofit

Discussion Point

1: Scope of inventory required to be reviewed for retrofit strategy is inclusive of all potential sources (§II.E.5.b(2))

2: Retrofit is not defined (Attachment C)

3: Prioritization criteria are limited (§II.E.5.b(2))

Recommendation

1: Retrofit strategy and updates should be based upon WQIP priorities, and should reflect authority to implement and where resources are available

2: Retrofit needs a clear definition to include on-site BMPs, infrastructure improvements, and off-site BMPs (i.e. regional)

3: Prioritize potential locations based on relative benefit to water quality, feasibility, cost effectiveness, and community acceptance

Channel Rehabilitation and Improvement

Discussion Point

1: Channel rehabilitation and improvement requirements are beyond the scope of an MS4 Permit (§II.E.5.b)

2: Prioritization criteria are limited (§II.E.5.b(2))

Recommendation

1: Revise language to encourage, rather than require, Copermittees to consider during WQIP strategy development and as part of the adaptive management process

2: Potential location prioritization may be based on relative benefit to water quality, feasibility, cost effectiveness, and community acceptance