

San Diego Bacteria TMDL Meeting, 08/27/15

The meeting summary is organized around major points in the meeting agenda, which is included at the end of the meeting summary, along with a list of attendees.

1. Introduction and Purpose of Meeting

The purpose of the meeting was to:

- Review and revise as needed the schedule of project meetings and meeting topics
- Review the draft Memorandum of Understanding (MOU)
- Hear an overview of the EPA 2012 Recreation Criteria

2. Overview and status update

There were no comments or suggested revisions on the notes of the previous meeting.

Ruth Kolb (City SD) provided a brief overview of the project status, including the recent Triennial Review which highlighted bacteria as a key priority, work on the MOU that will provide a more formal foundation for the workgroup's efforts, plans for a comprehensive cost benefit analysis of TMDL implementation alternatives, and progress on the ongoing special studies.

3. Schedule and meeting topics

Ashli Desai (LWA) reviewed the schedule and meeting topics, pointing out that the milestones match those in the draft MOU.

Todd Snyder (County SD) stated that the intent of the schedule's relatively aggressive timetable was to meet the planned timeline for the TMDL reopener and the ultimate compliance date in 2031. Slippage in that timeline impacts the County's communication and planning efforts, particularly with regard to identifying and allocating needed funding. However, several participants stressed that some studies will not be completed in time for their information to be included in the copermittees' technical report (Item #14 scheduled for January 2016) and that perhaps the proposed 2016 schedule should be stretched out to allow this information, as well as the information from the cost benefit study, to be adequately considered and included. In particular, Jimmy Smith (Regional Board) stressed the Board's interest in pushing an aggressive schedule while at the same time being mindful of allowing studies to come to fruition and providing time for the workgroup to come to agreement on the findings. He does not want the January report to act as a starting point for additional conflict. He would like the workgroup to move forward as a group and things the results will be more meaningful if there is time for the studies and subsequent discussion to play out. While not wanting to prejudge things, Jimmy believes the proposed schedule is unrealistic.

Todd Snyder (County SD) emphasized the importance of having some tangible idea of what a modified schedule might look like. He cannot simply go to his Board and suggest a delay without a concrete alternative. Discussion highlighted options for moving forward with some aspects of the process as information becomes available; some of that is built into the existing schedule of meetings. The Board staff only wants to conduct the Basin Plan process once, but is willing to chip away at pieces of the overall process (e.g., waste load allocations, adjustments to the TMDL) as information becomes available. The workgroup requested the consulting team to prepare by the next meeting (September 2) a list of

relevant studies, their likely completion dates, the information or value added they will produce, and their potential implications for the reopener. This information will then provide the basis for discussion of and agreement on a revised schedule that can be discussed with each partner's management in order to obtain buy off on next steps, including funding.

However, the current timeline, with milestone #14 in January 2016, will be retained as the "aspirational" schedule, with the recognition that the process may need to shift to the alternative schedule. A schedule review item will be added as a standing item to each meeting agenda.

4. Memorandum of Understanding

Participants reviewed the draft MOU and discussed the review and approval process required for each entity. The MOU must include a schedule because it helps establish the term of the agreement. There will be two documents: an MOU that describes the goals and terms of participation, and a separate funding agreement that would not include the Regional Board and would focus on program management and financial administration. Two separate documents are acceptable to all the parties, but they also want them to be submitted for management review and signature as a package.

The City of San Diego is willing to provide administrative support to help process the TMDL and City representatives will review the Los Peñasquitos and Regional Harbor Monitoring Program MOUs for example language. Todd Snyder (County SD) will distribute a draft funding agreement for review within 7 days. The revised MOU and draft funding agreement will be discussed and reviewed at the September 2 meeting, with the intention of finalizing agreement on the two documents at the September 10 meeting.

5. Overview of EPA 2012 criteria

Dustin Bambic (LWA) provided an overview of the EPA 2012 criteria and the studies and approaches that underlie the recommendations.

6. Next steps

Agreed on next steps include:

- Chris Minton (LWA) and Ashli Desai (LWA) will prepare a table for the September 2 meeting summarizing studies, their likely completion dates, the information or value added they will produce, and their potential implications for the reopener
- Discussion of a revised schedule will be included in the agenda for the September 2 and September 10 meetings
- Todd Snyder (County SD) will distribute a draft funding plan by September 2
- Drew Kleis (City SD) and Ruth Kolb (City SD) will review older MOUs to assess whether any language may be relevant to the Bacteria TMDL MOU
- Discussion of the funding plan and the revised MOU will be included in the agenda for the September 2 meeting, with the goal of finalizing agreement at the September 10 meeting

7. Next meeting date

The next workgroup meeting will be September 2, from 1:00 – 3:30 PM, per the agreed meeting schedule.

Attendees

Regional Board: Cynthia Gorham, Michelle Mata, Jimmy Smith

San Diego City: Drew Kleis, Ruth Kolb

San Diego County: Todd Snyder

Orange County Public Works: Chris Crompton, Jian Peng

Team: Dustin Bambic, Brock Bernstein, Clint Boschen, Ashli Desai, Chris Minton

Agenda

San Diego Bacteria TMDL Workgroup Meeting

San Diego County

5510 Overland Drive, San Diego

4th Floor, Rm 472

Meeting #4-August 27, 2015 1:00 pm to 3:30 pm

1. Introductions and Purpose of Meeting (1:00-1:10 pm)
2. Overview and Status update on Project (1:10 – 1:25 pm)
3. Discussion of Schedule and Meeting Topics (1:25-2:00 pm)
4. Memorandum of Understanding (2:00 – 2:45 pm)
5. Overview of EPA 2012 Recreation Criteria and Applicability (2:45-3:15 pm)
6. Next Steps (3:15-3:30 pm)