

APPENDIX C

Consultation Panel Charter



San Diego Bay Watershed Water Quality Improvement Plan

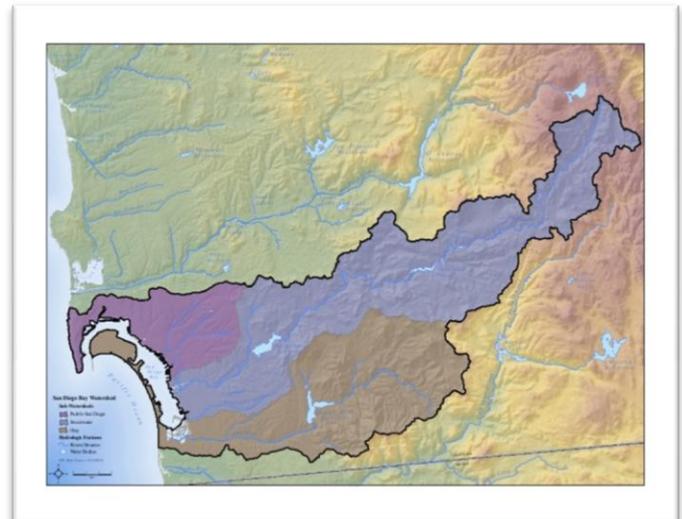
Consultation Panel Charter

I. PURPOSE

The Cities of Chula Vista, Coronado, Imperial Beach, La Mesa, Lemon Grove, National City, San Diego, the County of San Diego, San Diego County Regional Airport Authority, and the San Diego Unified Port District (Agencies) are collaborating to protect water quality in the San Diego Bay Watershed. The San Diego Bay Watershed is comprised of three sub-watersheds: Pueblo San Diego, Sweetwater, and Otay. The Agencies are required to convene a Consultation Panel to provide recommendations during the development of a Water Quality Improvement Plan (WQIP) as part of their response to new storm water regulations. The Consultation Panel and the development of the WQIP are required by Provision B of the San Diego Regional Water Quality Control Board's (SDRWQCB) Order Number R9-2013-0001 for Discharges from the Municipal Separate Storm Sewer System (MS4 permit).

II. CONSULTATION PANEL ROLE

The Agencies are seeking Consultation Panel members who have knowledge of the San Diego Bay Watershed, have a general knowledge of the requirements and intent of the MS4 permit as well as water quality issues and concerns in the San Diego Bay Watershed. Consultation Panel members will represent the perspectives of the organization they belong to, and be able to provide a broad and collaborative perspective of regional water quality management concepts for the development of the WQIP.



a. CONSULTATION PANEL RESPONSIBILITIES

1. Consultation Panel members are expected to serve throughout the entire WQIP development process, beginning in November 2013 through July 2015.

2. Public workshops: At least two (2) public workshops will be held to obtain input from the public regarding the WQIP development process. The Agencies strongly encourage Consultation Panel members to attend the workshops. The first workshop is tentatively planned for November 22, 2013 and the second workshop in August 2014.

3. Committee meetings: Up to five (5) meetings are currently anticipated. Consultation Panel members are expected to attend all scheduled meetings. These are expected to be up to two (2) hours long. If a Consultation Panel member is unable to attend a meeting, he or she will have an opportunity to provide written comments on the materials discussed according to the project schedule.

4. Consultation Panel members are expected to review up to three (3) WQIP drafts prepared by the Agencies. The Consultation Panel is expected to provide input to the Agencies regarding water quality improvement in the watershed. A tentative schedule of the meetings with general descriptions is provided in Table 1.

5. Each Consultation Panel member is expected to represent the general overall views of the area of representation. A member's personal or employer's opinion or input should be qualified as such and may only be offered following all general input by all other Consultation Panel members.

III. COMPOSITION AND MEMBERSHIP

The Consultation Panel will be comprised of members in the categories listed below. The Agencies may choose to add additional members at-large if there is sufficient interest in a particular sub-watershed. Every effort will be made to ensure a balanced representation of interests and service categories.

a. CORE MEMBERS

1. One (1) required representative assigned by the SDRWQCB.

2. One (1) required representative of the environmental community familiar with the water quality conditions of concern of the receiving waters in the watershed.

3. One (1) required representative of the development community familiar with the opportunities and constraints for implementing structural Best Management Practices (BMPs), retrofitting projects, and stream, channel or habitat rehabilitation projects in the watershed, preferably with relevant engineering, hydrology, and/or geomorphology experience in the watershed.



4. At-Large representative(s) familiar with water quality issues and/or topics pertaining to the three sub-watersheds. These individuals may include, but not be limited to representatives from:

- US EPA; assigned by EPA
- The business community
- Residential tenant/owner or representative of homeowner associations
- The agricultural community
- Water purveyors/waste water/water recycling community
- The academic community
- Other representatives who meet the minimum criteria as identified by the Agencies

b. ADDITIONAL MEMBERS AND REPLACEMENTS

Additional Consultation Panel members may be added at the discretion of the Agencies to provide additional perspectives and recommendations during WQIP development. Additional members must meet the same requirements as described above.

A Consultation Panel member who cannot meet his/her obligations and serve for the entire term will be required to provide the Agencies a 30-day notice in writing. At the Agencies' discretion, previously submitted interest forms may be reviewed to find a member's replacement or publish a new call for Consultation Panel membership. Replacement members must complete the interest form and be screened through the selection process in the same manner as original members (as described below).

IV. CONSULTATION PANEL SOLICITATION AND SELECTION PROCESS

The Agencies will publicize the request for membership in the San Diego Bay Consultation Panel and distribute membership solicitation notices in November 2013 via email and by posting it on the Project Clean Water website (www.projectcleanwater.org). Persons interested in Consultation Panel participation and representation of a core or at-large member seat will be asked to complete a statement of interest form.

The interest forms will be reviewed by the Agencies to ensure that membership candidates are capable of fulfilling the requirements, roles and responsibilities as described in Section II above and as required by the MS4 permit. If more than one person is interested in filling a specific category on the Consultation Panel, the Agencies will request that all those representatives within that category determine among themselves who shall serve. The Agencies reserve the right to appoint a specific individual from the pool of candidates if the applicants cannot reach a consensus among themselves. The Agencies may also select additional individuals for the At-Large category to help ensure a well-balanced and knowledgeable Consultation Panel.

V. CONSULTATION PANEL PARTICIPATION PROCESS

a. DISCUSSION AND DELIBERATIONS (GROUND RULES)

The Consultation Panel will provide input, advice, insight, suggestions and recommendations to the Agencies. Discussions do not have to reach consensus. Input provided by the Consultation Panel will be considered by the Agencies and incorporated into the WQIP as deemed appropriate or necessary. All input provided by the Consultation Panel will be public information.

The following ground rules apply to all Consultation Panel members:

1. All perspectives are welcomed and valued. Everyone is encouraged to share their views and disagreements shall be offered to the Consultation Panel members in a constructive and respectful manner.
2. One person at a time will be invited to speak by the meeting facilitator.
3. Time constraints will be honored by all Consultation Panel members. All will be offered an equal opportunity to address approved agenda items.

b. FACILITATION

Workshops and Consultation Panel meetings will be facilitated and supported by a neutral third party to ensure all perspectives are heard throughout the process.

c. OBSERVERS

Observers are welcome at Consultation Panel meetings. However, meetings are primarily intended for the dialogue between the Consultation Panel representatives and the Agencies and are facilitated to promote balanced, constructive interaction. Observers will be asked to refrain from commenting during the proceedings and may be allowed, time permitting, an opportunity for questions or comments at end of the meetings.

d. MEDIA AND OUTREACH

The Agencies cannot and will not restrict communication with media and others interested in the WQIP development process, they will work to ensure that the comments of individual Consultation Panel members are not construed as being statements made by the Consultation Panel as a whole.

Consultation Panel members will be asked not to make public statements about the Consultation Panel's deliberations to the media that may hamper constructive discussions. Consultation Panel members should also

speak for themselves and not on behalf of other members or the Consultation Panel as a whole. Agency staff and consultants will also refrain from such statements about the Consultation Panel’s deliberations.

VI. SCHEDULE

Two (2) public workshops will be held for the San Diego Bay Watershed. The Consultation Panel will meet up to five (5) times: once before and potentially once after the first and second interim reports are submitted to the SDRWQCB and once prior to submitting the final WQIP to the SDRWQCB. The latest schedule will be posted on the Project Clean Water website (www.projectcleanwater.org) and is subject to change.

TABLE 1. SAN DIEGO BAY WQIP CONSULTATION PANEL SCHEDULE (TENTATIVE)

Events	Description	Date
1 st Public Workshop	<ul style="list-style-type: none"> Project overview, process and schedule Call for data and information from the public Collect public recommendations for priority water quality conditions and potential strategies 	November 22, 2013
1 st Consultation Panel Meeting	<ul style="list-style-type: none"> Provide recommendations on priority water quality conditions and potential strategies 	January, 2014
2 nd Consultation Panel Meeting	<ul style="list-style-type: none"> Review the modified water quality conditions and potential strategies based on SDRWQCB public comment period 	August, 2014
2 nd Public Workshop	<ul style="list-style-type: none"> Collect recommendations from the public on potential numeric goals and strategies 	August, 2014
3 rd Consultation Panel Meeting	<ul style="list-style-type: none"> Review modified potential numeric goals and strategies based on SDRWQCB public comment period 	February, 2015

VII. REGULATORY BACKGROUND

On May 8, 2013, the SDRWQCB adopted Order No. R9-2013-0001 as NPDES Permit No. CAS0109266 for Discharges from Municipal Storm Sewer Systems or MS4 Draining the Watersheds of the San Diego Region (MS4 permit). The MS4 permit went into effect on June 27, 2013 and can be found on the SDRWQCB website.

The MS4 permit is implemented in San Diego County by the cities, the County of San Diego, the San Diego County Regional Airport Authority and San Diego Unified Port District or Copermittees. The MS4 permit requires the Copermittees to develop and implement, for each watershed, a WQIP to further the federal Clean Water Act’s objective to protect, preserve, enhance, and restore the water quality and designated beneficial uses of waters of the state. The process to develop the WQIP is through an adaptive planning and management process that identifies the highest water quality conditions within a watershed and implements strategies through the Copermittees’ jurisdictional runoff management programs to achieve improvements in the quality of the dischargers from the MS4 and receiving waters.

VIII. INTEREST FORM AND INSTRUCTIONS

Persons or organizations interested in participating as a Consultation Panel member shall complete the attached interest form and submit it via email to: gnelson@imperialbeachca.gov by December 2, 2013. Any questions or clarification on the interest form or the San Diego Bay Water Quality Improvement Plan Consultation Panel Charter should be directed via email to: gnelson@imperialbeachca.gov.



San Diego Bay Watershed WQIP Consultation Panel

Membership Interest Form

Due by: December 2, 2013 via email to gnelson@imperialbeachca.gov

I, _____, volunteer to serve on the San Diego Bay WQIP Consultation Panel for the following interest category:

- Representative of the environmental community
- Representative of the development community
- At-Large representative for: _____ (see Charter Section III.a.4)

Applicant Name

Organization Name/Description

Organization Address

Phone number

Website

Email

Please provide an official letter or resolution from the organization, on their letterhead, authorizing you to represent them (attached to this interest form).

Please provide: 1) Past and present experience with San Diego Bay watershed topics and issues; 2) Familiarity with water quality issues in San Diego Bay; 3) Specific knowledge about any one of the three sub-watersheds in the San Diego Bay Watershed (Pueblo San Diego, Sweetwater, or Otay); 4) Experience with implementing joint water quality programs or projects with other agencies or stakeholders; and 5) Other qualifications that you believe will benefit the development of the San Diego Bay Watershed WQIP. Submittal is limited to five (5) pages, plus required attachments.

