



County of San Diego

WALTER F. EKARD
CHIEF ADMINISTRATIVE OFFICER
(619) 531-6226
FAX: (619) 557-4060

CHIEF ADMINISTRATIVE OFFICE

HELEN N. ROBBINS-MEYER
ASST. CHIEF ADMINISTRATIVE OFFICER
(619) 531-4940
FAX: (619) 557-4060

1600 PACIFIC HIGHWAY, STE. 209, SAN DIEGO, CA 92101-2472

November 13, 2007

Michael McCann
San Diego Regional Water Quality Control Board
Region 9
9174 Sky Park Court
Suite 100
San Diego, CA 92123-4340

RE: IMPACT OF 2007 FIRESTORMS

Dear Mr. McCann;

On behalf of the San Diego Region Municipal Copermittees, the County of San Diego is submitting this request for a deadline extension for the submittal and implementation of selected deliverables required by Order No. R9-2007-0001, issued January 24, 2007. The Permit mandates that the Copermittees submit new and updated Urban Runoff Management Programs (URMPs) to the San Diego Regional Water Quality Control Board (SDRWQCB) on January 24, 2008, and implement these programs starting January 25, 2008. Due to the County's and other Copermittees' response to the regional fires, it is necessary to request an eight week extension on the submittal and implementation of the Regional URMP, individual Jurisdictional URMPs, and Watershed URMPs. Please note that an extension is not requested for JURMP or WURMP Annual Reports because the completion of these deliverables was not significantly impacted by the fires since most of the information has already been gathered and outstanding items are on schedule for completion.

The County has reassigned hundreds of staff to respond to the recent 2007 firestorms. Fire response includes managing debris removal from private property, household hazardous waste removal, erosion control, Local Assistance Centers and restoring vital infrastructure. This response is critical for the health, safety and environmental quality of San Diego County. Based on the County's experience with the 2003 fires, we estimate that it will take approximately eight weeks until many staff members that have been re-assigned to fire-related response can return to their normal duties. It is worth noting that the current situation is very different than that experienced after the 2003 firestorms. During 2003 firestorms, only annual reports were due to the RWQCB in January 2004. The January 2008 deliverables are far greater in scope and substance, and require a substantial amount of technical and cooperative work to complete. For example, the deliverables due immediately after the 2003 Wildfires did not include ordinance changes and revisions and the development of new, technically complex programs and requirements such as a hydromodification management, and low impact development.

These programs alone require a substantial amount of time and attention from the very staff and technical experts that have been diverted to fire activities.

Significant Impacts of the Fire to San Diego Region

Fires in San Diego County were first reported Sunday, October 21st. A total of four devastating fires impacted the County of San Diego: Rice Creek Fire (San Luis Rey Watershed), Poomacha Fire (San Luis Rey Watershed), Witch Fire (San Dieguito Watersheds) and the Harris Fire (Tijuana Watershed).

Current estimates show that roughly 370,000 acres in San Diego County were burned by these fires (94% of which occurred in the unincorporated areas). To date, a total of 1,091 primary structures were destroyed, 70 primary structures were damaged, 1,205 accessory structures were destroyed, 34 accessory structures were damaged, and 1,991 vehicles were destroyed in the unincorporated areas alone. Including the incorporated areas, 1,751 primary structures were destroyed, 108 primary structures were damaged, 1,262 accessory structures were destroyed, 43 accessory structures were damaged, and 2,305 vehicles were destroyed. The damage estimate for losses throughout the County is currently placed at \$700 million, but continues to increase.

County Response to Protect Residents, the Environment, and Water Quality

The County, the City of San Diego, and other affected jurisdictions mobilized immediately to address erosion from the fires and protection of waterways from debris. Hundreds of staff have been reassigned to address the numerous environmental, water quality and health and safety concerns resulting from the firestorm. The County's fire recovery efforts include staffing citizen assistance centers and erosion control centers, performing debris removal and erosion control, participating in regional evaluation and response teams, and restoring County facilities.

Debris Removal and Erosion Control

The County contracted with Geosyntec Consultants the same day that the fires started. Geosyntec is evaluating the unincorporated burn areas in the affected watersheds and developing solutions to prevent water quality and environmental degradation due to the fires for areas with high erosion potential. The County is finalizing contracts for materials and equipment to implement these solutions. Geosyntec will continue throughout the period of the County's response to inspect high erosion potential areas after the County has stabilized them.

The County contacted the National Resource Conservation Service (NRCS) regional office in Sacramento the same day that the fires started, for assistance in evaluating the burn areas and developing solutions. NRCS staff has been and continues to assist in the field with County staff and Geosyntec consultants evaluating sites and recommending solutions to prevent water quality and environmental degradation due to the fires.

County staff is participating in 2 Burn Area Emergency Response (BAER) teams for the San Diego region. The BAER is a consortium of federal, state, tribal, and local groups that evaluate erosion potential in burn areas that effect federal and tribal lands. This group is performing field inspections in affected watersheds and will provide solutions to prevent

water quality and environmental degradation due to the fires to the appropriate federal agency or tribal group for implementation.

The County and City of San Diego have worked collaboratively with state agencies to develop a debris cleanup plan. The County has also coordinated debris removal efforts with all of the affected cities.

The County is pursuing a 2-phase approach to \$30 million debris removal program. A team of Department of Environmental Health (DEH), Department of Public Works (DPW), Department of General Services (DGS), and Department of Planning and Land Use (DPLU) staff crafted policy decisions and a debris removal program that will protect the health, safety and welfare of the entire region. Phase 1, which began November 8th, is a household hazardous waste collection program to ensure that hazardous household chemicals do not enter the waterways. In Phase 2, the County will be clearing debris from all of the affected properties in unincorporated areas (approximately 1,040 properties) at no expense to the homeowners. The County launched outreach efforts for this phase on November 2nd and will continue to hold workshops over the next couple of weeks in all affected communities.

The County will award a debris removal contract this week and anticipates completing debris removal by the end of the calendar year.

Citizen Assistance (including that for debris removal and erosion control)

The County is staffing five erosion control centers with DPW erosion control experts. In addition to answering residents' questions at the centers, these experts perform erosion control assessments at residents' houses. The experts devise a plan for erosion control tailored specifically for each property and explain to the residents how to implement it. Proper planning for erosion control efforts will help mitigate fire impacts of runoff and water quality. The County is also staffing four Local Assistance Centers (LAC) to help fire victims with rebuilding assistance, such as building permits and sewer services. The centers will continue to operate seven days a week until further notice.

January 2008 Deliverables that will Require an Extension

Regional URMP (RURMP) Updates

Although it incorporates many elements already conducted collaboratively by the Copermittees, the Regional URMP is a new requirement under the Permit. Since adoption of the new Permit, Copermittees have been working collaboratively to develop regionally consistent approaches and standards in several key program areas. To this end, a considerable amount of effort has been expended through several regional working bodies over the past year. Progress by each of these is significant, but additional time is still needed to complete key work products. Given the fire-related impacts on staffing to individual jurisdictions, and in particular to the County, it is expected that a minimum of two additional months will be needed to complete these work products, and the RURMP as a whole.

The scheduled completion of some deliverables such as the development of an Interim Hydromodification Management Plan (HMP) (Permit Section D.1.g.(6)), the collaborative

update of the Copermittees' local SUSMPs to incorporate update BMP requirements and new Low Impact Development (LID) requirements (Permit Section D.1.d.(7)), and the criteria for advanced treatment for sediment at construction sites that pose an exceptional threat to water quality (Permit Section D.2.(c)(2)) is mostly unaffected by fire-related activities, primarily because the technical analyses and documents were near completion before the fires. However, the ordinance changes required to implement these new programs have been delayed by the fires because the staff that would be taking these programs through the adoption process has been re-assigned to fire recovery responsibilities.

Other regional work products are also delayed by the reassignment of County staff and the decreased availability of Copermittees. These will continue to require a high degree of Copermittee effort. In particular, additional time is needed in three areas of activity:

- Regional Reporting and Assessment Standards. Shortly after adoption of the Permit, the Copermittees began the development of regional reporting and effectiveness assessment standards to be included as part of the Regional URMP submittal. While not strictly required under the Permit, consistency of reporting and assessment provides an important basis for watershed management efforts by creating standards for integrating data and information across jurisdictional boundaries, facilitates RWQCB review and oversight by making required reports and deliverables more consistent, and increases the quality of Copermittee programs by providing upfront dialogue on desired outcomes and measures. Because the new effectiveness assessment requirements of the Permit are more detailed and complex than those of the previous version, considerable effort has been required to address those provisions. Additional time is needed to ensure that these standards can be completed for inclusion in the RURMP submittal.
- Regional Residential Education Program. Permit Section F.1 requires that the Copermittees develop and implement a Regional Residential Education Program. This work product is proceeding according to established schedules, but key decisions still need to be discussed and agreed upon amongst the Copermittees. These include the finalization of specific educational content, methods of outreach, budgets, and assessment strategies.
- Collaborative Approaches to Regulation of Mobile Businesses. Permit Section D.3.b(4) encourages the Copermittees to pursue collaborative approaches to the regulation of mobile businesses. The Copermittees are actively working to develop such approaches. While we expect this regional strategy to evolve over several years, our goal is to include a first year strategy as part of the Regional URMP. Without additional time, the Copermittees will be unable to address these approaches in the RURMP submittal.

Finally, it is important to note that each of the regional work products discussed here directly affects the content of individual Copermittee Jurisdictional URMPs since regional strategies and commitments must in many cases be determined before jurisdictional strategies can be finalized. Moreover, individual Copermittees cannot seek approval of incomplete JURMP documents from their decision-makers. Portions of the updated JURMP rely upon the documentation, guidance, and strategies which are being developed collectively by the Copermittees under the leadership of the County as

Principle Copermittee. Reassignment of County staff is affecting the ability of the Copermittees to complete some of these collective efforts.

Jurisdictional URMP (JURMP) Updates

Of all the work products due by January 24, the most significant for all Copermittees is the updated JURMP. This means a complete review and revision of all JURMP sections, not only to incorporate new requirements, but to bring these programs up to a new standard that reflects five additional years of implementation experience. JURMP updates include a host of requirements that are applicable to most or all program components, including:

- Updating source inventories and prioritization of new and existing sources
- Updating BMP requirements and making corresponding modifications to our stormwater ordinances
- Developing and implementing new standards and methods for assessing the effectiveness of all program elements (including incorporation of the standards being developed regionally with other Copermittees).
- Updating outreach and training programs to ensure that new standards for implementation and measurability are met.

In the County and other impacted jurisdictions, staff responsible for coordinating and developing all of this new or revised program content is also heavily involved in conducting post-fire work as described above. This is also true of other jurisdictional departments and programs that share responsibility for updating and implementing JURMP components. For example, staff with stormwater responsibilities must also address fire-related needs for road and storm drain maintenance, parks and recreational facilities maintenance, assessment of structural damage to homes and businesses, and permitting and inspecting building and grading activities. Within the County, meetings with these staff to review draft program revisions were initially scheduled for late October / early November. Because of the fires, much of this coordination must be delayed, and for some departments with critical post-fire responsibilities, it may take an additional 8 – 10 weeks to conduct these meetings and complete the revisions.

For the County and other Copermittees significantly impacted by the fires, JURMP updates can no longer be completed within the one-year timeframe allowed under the Permit. Likewise, for other Copermittees not directly or less impacted by the fires, the delayed completion of the regional work products discussed above will still directly affect their ability to finalize some Jurisdictional URMP components, most notably the following sections:

- 4.0 Development Planning
- 7.0 Industrial and Commercial
- 8.0 Residential
- 10.0 Education, and
- 13.0 Effectiveness Assessment

Although the degree to which individual Copermittees are impacted by fire-related activities is variable, the need to consider regional strategies and commitments as a basis for determining specific jurisdictional strategies is uniform. To the degree that an

extension is needed on Regional URMP deliverables, it is therefore also necessary to extend the timeline for JURMP submittal and implementation for all Copermittees.

Staff training on new permit requirements, such as LID, interim hydromodification management, advanced treatment for construction sites, was scheduled to occur in November. A significant portion of the staff in the Land Development, Capital Improvement Programs, Roads crews who require the training are currently working on fire related response in the field or at citizen assistance centers. Many of the Watershed Protection Program staff who would be leading the training sessions are currently assigned to debris removal and erosion control duties.

Staff work for the adoption of the new ordinances and other regulatory documents (necessary to implement and enforce new programs) was scheduled to be completed in early November. Due to the large amount of re-assigned staff directly involved in this process, the Watershed Protection Ordinance and SUSMP adoption processes have been delayed.

Many County water quality staff DPW, AWM, DEH, DPLU, and DPR are the same experts that have been reassigned to work on erosion control and debris removal projects to address the immediate environmental concerns. The County's Geographic Information Systems (GIS) team has been, and continues to be, an integral part of the fire efforts. Much of the mapping needs from for the Permit efforts have been substantially delayed as a result of their deployment to the fire recovery efforts.

Watershed Urban Runoff Management Plan (WURMP) Updates

In addition to its duties as Lead Copermittee, the County is a Copermittee in eight of the nine watersheds requiring updated Watershed Urban Runoff Management Plans (WURMPs) by January 24, 2007. The City of San Diego, which is also significantly impacted by the fires, is the sole Copermittee in the remaining watershed. The County's schedule for completing its portion of these deliverables has been significantly impacted by the fires. Specifically, the County may be unable to submit a complete list of Watershed Activities planned for implementation as part of its updated WURMPs.

The primary focus of County efforts prior to the fires was on coordinating the regional and watershed-specific efforts to comply with Permit Section E.2.e, a new requirement that calls for the development of a "collective watershed strategy" to guide the selection and implementation of WURMP activities. County staff spent considerable time and energy chairing a regional committee to develop a model strategy and participated in the eight individual workgroups charged with tailoring the model strategy to each watershed. Now that watershed strategies have been developed for each watershed, emphasis has shifted to identifying the specific Watershed Water Quality Activities (Permit Section E.2.f(a)) and Watershed Education Activities (Permit Section E.2.f(b)) that will be implemented to address the high priority water quality problems in each watershed.

Within the County, the identification of Watershed Activities requires focused commitment from six specific County departments with urban runoff implementation responsibilities. Key staff from the DPW, Parks & Recreation (DPR), DEH, DPLU, and Agriculture, Weights, & Measures (AWM) has been temporarily reassigned to fire assessment and recovery duties, thus interrupting the inter-departmental dialogue and coordination

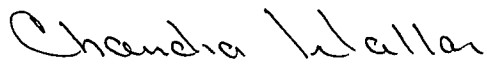
Mr. Michael McCann
November 13, 2007
Page 7 of 7

required to complete this task by January. Further, the Copermittees are unable to continue making specific progress on WURMP Effectiveness Assessment Sections due to the temporary suspension of activities of the Copermittee Fiscal, Reporting, and Assessment Workgroup.

In summary, we believe that an extension of eight weeks for the submittal and implementation of the Copermittees' RURMP, JURMPs, and WURMPs is fair and reasonable based on the severity of the recent fires and the ongoing impacts to staffing. Please be assured that the Copermittees have been working diligently to meet these deadlines over the past year, and will continue to do so despite the vast re-allocation of staff to the fire recovery effort.

Thank you for your consideration of this request. If you would like to discuss further or have questions, you may contact myself at (619) 531-5451 or Cid Tesoro at (858) 694-3672.

Sincerely,

A handwritten signature in cursive script that reads "Chandra Wallar".

CHANDRA L. WALLAR
Deputy Chief Administrative Officer