

San Diego Regional Water Quality Control Board



Executive Officer's Report

August 8, 2007

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PART C – STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION

	<i>There are no items to report in Part C this month.</i>	
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Attachments for B-1, B-2, and B-3 are included at the end of the report. Also included as an attachment are the Significant NPDES Permits, WDRs and RB Actions.

SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

EXECUTIVE OFFICER'S REPORT

August 8, 2007

PART A

SAN DIEGO REGION STAFF ACTIVITIES (*Staff Contact*)

1. Shelter Island Yacht Basin Copper TMDL Stakeholder Meeting (*Lilian Busse and Dave Gibson*)

The Southern Watershed Protection Unit will host a stakeholder meeting on the implementation of the Shelter Island Yacht Basin Copper Total Maximum Daily Load (TMDL) on August 13, 2007, 1-4 pm, in the Regional Board room. The purpose of the meeting is to consider the implementation process for the copper TMDL. The following stakeholders will give presentations at the meeting: San Diego Regional Board (Dave Gibson), Port of San Diego (Karen Holeman), Sea Grant Extension Program (Leigh Johnson), San Diego Coastkeeper (Marco Gonzalez), Kona Kai Marina and the Shelter Island Marina (Richard Opper), and Ernie Soeterik (The Sherwin Williams Company). After the presentations there will be an Open Forum Discussion to obtain input from the stakeholders on an implementation plan.

2. Storm Water Coordinating Meetings (*Michael McCann*)

On August 3, 2007 the Northern Watershed Unit will be meeting with representatives of the construction industry to discuss the proposed MS4 permit for Orange County, revised Tentative Order No. R9-2007-0002, and the process for adoption.

On August 7, 2007 the Northern Watershed Unit will be meeting with the MS4 Permittees of the San Juan Creek watershed to discuss the proposed MS4 permit, revised Tentative Order No. R9-2007-0002, and the process for adoption.

Brandi Outwin of the Northern Watershed Unit attended the Riverside County MS4 permit meeting on July 26.

Christina Arias and Ben Neill attended the July 19th San Diego County Copermittee meeting.

On July 17, John Robertus and David Gibson attended the San Diego Port District's Environmental Advisory Committee (EAC) at Scripps Institute of Oceanography. The EAC was established in 2006 to advise the Port's Board of Commissioners on significant ecosystem and environmental issues relating to San Diego Bay. Participants include representatives from government, academia, port tenants, and the environmental community.

The EAC solicits and reviews projects for funding recommendations through the Port's Environmental Fund. The purpose of the Environmental Fund is to restore or enhance San Diego Bay and surrounding tidelands by funding programs that include but are not limited to recovering habitat, restoring the condition of the Bay bottom (i.e. sediments), preventing future erosion or contamination, or reclaiming natural shoreline conditions. The first round of funding was approved in December 2006. The second round of proposals is currently being reviewed. David Gibson has been asked to review and provide comments to the EAC on two projects.

3. Personnel Report *(David Barker)*

As of August 2007 the California Regional Water Quality Control Board (San Diego Water Board) has an existing authorized staff size of 77 employee positions. Sixty-seven of these positions are comprised of technical staff in the engineering, engineering geology, and biologist job classifications. Ten of these positions are comprised of staff in administrative office support services and information technology job classifications.

The San Diego Water Board is currently involved in a major recruitment effort to fill vacancies resulting from recent staff departures as well as the establishment of new vacant positions resulting from budget augmentation with additional federal and state program funds. Our current recruitment emphasis is to fill a total of 10 vacancies in the following program areas:

- 1 administrative staff vacancy in Document Management support services.
- 1 administrative staff vacancy in Business support services.
- 1 information systems position in Information Technology support services.
- 2 technical staff vacancies in the Brownfield Site Mitigation and Cleanup program.
- 1 technical staff vacancy in Total Maximum Daily Load (TMDL) development program.
- 1 technical staff vacancy in the Underground Storage Tank program.
- 1 technical staff vacancy in the NPDES program.
- 1 technical staff vacancy in the NPDES storm water program.
- 1 technical staff vacancy for Assistant Executive Officer.

The recruitment and interview of candidates to fill these vacancies is underway at various stages. We will continue the emphasis on recruitment to fill the vacancies until all vacant positions are filled.

PART B
SIGNIFICANT REGIONAL WATER QUALITY ISSUES

1. Clean Water Act Section 401 Water Quality Certification Actions Taken in June and July 2007 (*Chiara Clemente*) (*Attachment B-1*)

Section 401 of the Clean Water Act requires that any person applying for a federal permit which may result in a discharge of pollutants into Waters of the United States must obtain a water quality certification that that specific activity complies with all applicable state water quality standards, limitations, requirements, and restrictions. The most common federal permit that requires a 401 Certification is a CWA Section 404 permit, issued by the Army Corps of Engineers, for the placing of fill (sediment, rip rap, concrete, pipes, etc.) in Waters of the U.S. (i.e. Ocean, bays, lagoons, rivers and streams).

Upon receipt of a complete 401 certification application, the Regional Board may either certify the project or deny certification, with or without prejudice. In cases where there are impacts to Waters of the U.S., the Regional Board may issue a conditional certification. The certification can be either in the form of a conditional certification document approved by the Regional Board Executive Office, or Waste Discharge Requirements (WDRs), adopted by the Regional Board. And, in the case where a federal permit is not required because impacts have been determined to be only to Waters of the State, the Regional Board may adopt WDRs. Table B-2 (attached) contains a list of actions taken during the months of June and July. Public notification of pending 401 Water Quality Certification applications can be found on our web site at: <http://www.waterboards.ca.gov/sandiego/programs/401cert.html>.

2. Significant Enforcement Actions for July 2007 (*Mark Alpert*) (*Attachment B-2*)

The following is a summary of all enforcement actions during the month of July 2007. During this period the Regional Board initiated 73 enforcement actions (67 Notices of Violation, 2 Investigative Order, 3 Notice of Violation/Investigative Orders, and 1 Administrative Civil Liability Order).

A detailed listing of the most significant enforcement actions undertaken by the Regional Board during the period is attached. Information on sewage spills is provided in a separate discussion topic entitled "Sewage Spills".

AGENCY/ FACILITY NAME	CITY	PROGRAM ¹	ACTION DATE
Notice of Violation			
67 enrollees in the Construction and Industrial Storm water Permits	Region wide	CONSTW & INDSTW	7/20/2007
Investigative Order (13267 letter)			

AGENCY/ FACILITY NAME	CITY	PROGRAM ¹	ACTION DATE
Santa Margarita Water District	Mission Viejo	SSO	7/20/2007
US Navy Palmer Hall Sewage Spill	San Diego	SSO	7/30/2007

Notice of Violation (NOV) with Investigative Order (13267 letter)			
City of San Diego Mission Valley Branch Library	San Diego	MNSTW	7/26/2007
Southern California Edison San Onofre Nuclear Generating Station	San Diego	NPDES	7/31/2007
United States Marine Corps MCB Camp Pendleton	Camp Pendleton	NPDES	7/31/2007

Administrative Civil Liability (ACL) Orders			
Ashby USA, LLC Roripaugh Ranch	Temecula	CONSTW	7/31/2007

¹Program Acronyms

CER	Water Act Section 401 Certification
CONSTW	Construction Storm Water
DoD	Department of Defense
INDSTW	Industrial Storm Water
LNDISP	Land Disposal
MNSTW	Municipal Storm Water
NPDES	National Discharge Elimination System
WDR	Waste Discharge Requirements
SSO	Sanitary Sewer Overflow
SLIC	Spills, Leaks, Investigations, and Cleanup
TANKS	Underground Storage Tank

3. Update – Fleet Industrial Supply Center (FISC) Fuel Facility, Point Loma
1.5 Million Gallon Fuel Release (Laurie Walsh) (Attachment B-3)

Background

The Defense Fuel Support Point (DFSP) is one of several tenant commands within Naval Base Point Loma that occupies a portion of the Point Loma Peninsula in San Diego, California. The DFSP Point Loma Fuel Terminal is the

fuel supply facility serving military fuel needs for the west coast of the United States. Currently there are 33 aboveground storage tanks (AGTs) and 24 underground storage tanks (USTs) in operation at the fuel facility with a total capacity of approximately 1,200,000 barrels (50.4 million gallons). The tanks are used to store aviation fuel JP-5, diesel fuel marine (DFM), and lube oils. Most of the tanks were constructed between 1917 and 1954, and are interconnected by a network of large-diameter pipelines. The Navy is currently in the final planning and design stages of a tank replacement project (Milcon P-401) whereby all USTs and AGTs will be replaced with eight new, 125,000 barrel (5.25 million gallon) state-of-the-art design AGTs.

Historical releases at the fuel storage facility have resulted in an underground fuel plume estimated to include approximately 1.5 million gallons of JP-5 and DFM. To control fuel migration toward San Diego Bay, interim actions were initiated in 2001 that extract fuel and water from the ground water aquifer. As of June 24, 2007, a total of 146,639 gallons of fuel have been recovered. An update to the fuel plume map was developed from measurements collected in May 2007 (attached).

The Draft Multiple Tank Site Assessment Report (includes the health risk assessment) was submitted to the Regional Board in February 2007. Comments from the Regional Board were sent and received by the Navy in April 2007. The Regional Board concurred with Navy's proposed remedial actions to be taken at the site as described in the Draft Corrective Action Plan (CAP). Remedial actions include installation of a permanent, underground, trench-based recovery system. The design is being coordinated with the fuel tank replacement project (P-401) to preclude interference, both during and after construction. Fuel product continues to exist in one off site well (OS-MW02) located on private property. The fuel extraction system is in continuous operation to remove fuel and the Navy plans to complete installation and startup of the permanent remediation system in November 2007.

CAPT Patton, Commanding Officer of Naval Base Point Loma, continues to hold monthly meetings that are sponsored by the District City Councilmember and include representatives of various community groups in the Point Loma area. The meetings are also attended by staff from Rep Susan Davis' office and local media personnel. There have been no public town hall style meetings since December 2006; however the next one is expected to be held in November 2007 to review the 100% design of P-401 and Fuel Plume Recovery System Operations.

4. Update on Cleanup and Abatement Orders for Unauthorized Seawall Construction at 501 & 505 First Street, Coronado, CA *(Christopher Means)*

Since the June 13, 2007 Board meeting, in which the San Diego Regional Board affirmed the Cleanup and Abatement Orders (CAO's) No. R9-2006-0101 and R9-2006-0102 (as amended by Addendum No. 2), the dischargers have yet to install

riprap on the Bay shoreline as required by Directive No. 3 of the CAO's. One cause of the delay is that the Army Corps of Engineers has not yet issued a CWA Section 404 permit for the activity.

The CAO's were issued to Bill & Heidi Dickerson (as the owner of property at 501 First Street), Larry and Penny Gunning (as the owner of property at 505 First Street) and Fred Perry (as the contractor/developer) for the unauthorized discharge of waste to San Diego Bay as a result of removal of rip-rap protecting the land from erosion and construction of a seawall on the shoreline adjacent to San Diego Bay.

Regional Board staff inspected the site in the early morning hours of August 1, 2007, during a minus tide, to document the condition of the eelgrass beds, immediately in front of the two properties where the rip-rap was removed. Overall the impacts to the eelgrass are still severe, although scattered patches of eelgrass were observed within the impacted areas of the beds.

Petition of CAOs to State Board

Subsequent to the Regional Board affirmation of the CAO's on June 13, 2007, the dischargers filed a petition with the State Water Resource Control Board (SWRCB) requesting the rescission of the CAO's and a request for a stay from compliance with the directives of the CAO's.

The SWRCB initially found the petition failed to meet applicable requirements and gave the petitioners a short time period in which to correct the flaws and resubmit the petition. The petitioners have submitted supplemental information and are awaiting a determination by the State Board.

Further updates will be provided to the Regional Board on compliance with the CAO's and status of the petition.

PART C **STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION**

There are no items to report in Part C this month.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

**SIGNIFICANT NPDES
PERMITS, WDRs, AND
REGIONAL BOARD
ACTIONS**

AUGUST 8, 2007

APPENDED TO EXECUTIVE OFFICER REPORT

SIGNIFICANT NPDES PERMITS, WDRS, AND RB ACTIONS

DATE OF REPORT	NAME OF PERMIT/WDR/RB ACTION	Action Type	Initial Document Application Complete	Dish/RWQ Limits and Monitoring Plan Known	Draft Complete	Public Rev. & Comment	BOARD HEARING & ADOPTION	Consent Item	COMMENTS	Staff
August 8, 2007										
SEPTEMBER 12, 2007 RB MEETING										
	City of Mission Viejo Council Chambers									
	ORANGE COUNTY MUNICIPAL STORMWATER PERMIT	Adoption: NPDES Permit Reissuance	100%	100%	100%	80%	September 12, 2007	No	NPDES WORKPLAN FY 2006-07	Smith
	BASIN PLAN AMENDMENT UPDATE OF WAIVERS OF WDRs	Adoption Basin Plan Amendment	NA	NA	100%	50%	September 12, 2007	No		Chiu
	REGIONWIDE BACTERIA TOTAL MAXIMUM DAILY LOAD	TMDL Adoption	NA	NA	100%	80%	September 12, 2007	No	TMDL Workplan FY 2005-06	Arias
	TERRA VAC REMEDIATION DEWATERING PROJECT 2945 PACIFIC HWY SAN DIEGO	Hearing: Admin. Civil Liability	NA	NA	100%	80%	September 12, 2007	No		Alpert
	OCTOBER 10, 2007 RB MEETING									
	Rancho California Water District, Temecula									
	GROUNDWATER EXTRACTION GENERAL PERMIT FOR SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	100%	0%	October 10, 2007	No	Reissuance of NPDES Permit Order No.	Rodriguez
	GROUNDWATER EXTRACTION GENERAL PERMIT OTHER THAN TO SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	100%	0%	October 10, 2007	No	Reissuance of NPDES Permit Order No.	Rodriguez
	SAN DIEGO UNIFIED SCH. DIST.-SCRIPPS MIDDLE SCHOOL CONSTR. STORMWATER	Hearing: Admin. Civil Liability	NA	NA	100%	0%	October 10, 2007	No	ACL Complaint \$128,000	Peuron
	RORIPAUGH RANCH--ASHBY USA LLC TEMECULA RIVERSIDE COUNTY	Hearing: Admin. Civil Liability	NA	NA	100%	10%	October 10, 2007	No	ACL Complaint \$546,250	Stewart
	DECEMBER 12, 2007 RB MEETING									
	San Diego Regional Board Office									
	OCEAN DISCHARGER RECEIVING WATER MONITORING PROGRAM UPDATES	NPDES Permits Revisions	NA	50%	0%	0%	November 14, 2007	No		Kelley
	FEBRUARY 13, 2008 RB MEETING									
	San Diego Regional Board Office									
	NAASCO/GENERAL DYNAMICS CORP. SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	0%	0%	February 13, 2008	No	NPDES Workplan 2007-08	Kelley

SIGNIFICANT NPDES PERMITS, WDRS, AND RB ACTIONS

DATE OF REPORT August 8, 2007	NAME OF PERMIT/WDR/RB ACTION	Action Type	Initial Document Application Complete	Dish/RWQ Limits and Monitoring Plan Known	Draft Complete	Public Rev. & Comment	BOARD HEARING & ADOPTION	Consent Item	COMMENTS	Staff
	CONTINENTAL MARITIME OF SAN DIEGO SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	0%		February 13, 2008	No	NPDES Workplan 2007-08	Kelley
	BAE SYSTEMS SAN DIEGO SHIP REPAIR SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	0%	0%	February 13, 2008	No	NPDES Workplan 2007-08	Kelley
	MARCH 13, 2008 RB MEETING San Diego Regional Board Office									
	CITY OF SAN DIEGO CONVENTION CENTER GROUNDWATER DISCH. TO SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	0%	0%	March 12, 2008		NPDES Workplan 2007-08	Kelley
	S. & S FARMS LIVESTOCK RAISING FACILITY RAMONA SAN DIEGO COUNTY	NPDES Permit Reissuance	0%	100%	0%	0%	March 12, 2008	No	NPDES Workplan 2007-08	Kelley
	MAY 14, 2008 RB MEETING San Diego Regional Board Office									
	US NAVY NAVAL BASE PT. LOMA SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	0%	0%	May 14, 2008	No	NPDES Workplan 2007-08	Kelley
	US NAVY NAVAL BASE SAN DIEGO SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	0%	0%	May 14, 2008	No	NPDES Workplan 2007-08	Kelley
	US NAVY NAVAL BASE CORONADO SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	0%	0%	May 14, 2008	No	NPDES Workplan 2007-08	Kelley
	JUNE 11, 2008 RB MEETING San Diego Regional Board Office									
	CITY OF SAN DIEGO POINT LOMA OCEAN OUTFALL PACIFIC OCEAN	NPDES Permit Reissuance	0%	100%	0%	0%	June 11, 2008		NPDES Workplan 2007-08	
	PENDING / UNSCHEDULED ACTIONS									
	PROPOSED GREGORY CANYON LANDFILL NORTH SAN DIEGO COUNTY	Hearing: New WDRs	100%	85%	85%	0%		No		Tamaki

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF JUNE 1, 2007 THROUGH JULY 31, 2007**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
5/21/07	County of Orange, San Clemente	M01 (Prima Deshecha) Outlet and Poche Beach Structural Best Management Practice Treatment System	Collect, filter, and disinfect urban runoff from the M01 outlet structure, and return approximately 90-97% of the treated water into the ocean.	Prima Deshecha Channel and Pacific Ocean.	Streambed 0.005 acre (T) 0.005 acre (P)	Restoration of temporary impacts	Technically Conditioned & Waiver of Waste Discharge Requirements
6/1/07	Port of San Diego, San Diego	Fish Enhancement Structures off the Embarcadero Park South Fishing Pier, off the Marriott Hotel in Coronado, and in the Borrow Pit South San Diego Bay	The enhancement and creation of fish habitat by the placement of 2' diameter A-Jacks structures on the bay floor.	San Diego Bay	This project will Enhance 0.1 acre of open bay.	The project is self mitigating.	Low Impact Certification & Waiver of Waste Discharge Requirements
6/5/07	Vista Villas Development, LTD., Vista	Vista Valley Polo Club	The project consists of a subdivision of a 442-acre site into 156 single family residential lots and 2 open space lots.	Gopher Canyon Creek	Not Applicable	Not Applicable	Withdrawn by the Regional Board Staff

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF JUNE 1, 2007 THROUGH JULY 31, 2007**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
6/5/07	Twin Development, LLC, Vista	Morris Ranch	The project consists of 90 single family residential lots on a 229 acre site.	Gopher Canyon Creek and Little Gopher Canyon Creek	Not Applicable	Not Applicable	Withdrawn by the Regional Board Staff
6/5/07	City of San Marcos, San Marcos	Universal Boot	The project consists of the grading of two pads of 4.82 acres.	Unnamed tributary to San Marcos Creek	Not Applicable	Not Applicable	Withdrawn by the Regional Board Staff
6/5/07	Hallmark Communities, Oceanside	Oceanpointe	The project consists of the construction of 198 multi-family units on approximately 17.6 acres of a 35.8 acre site.	Unnamed tributary to San Luis Rey River	Not Applicable	Not Applicable	Withdrawn by the Regional Board Staff
6/5/07	City of Oceanside, Oceanside	College Boulevard and Buena Vista Creek Improvement Project	The project consists of the expansion of existing culverts at crossings to accommodate the 100 year storm event, including installation of additional culverts, retaining walls, and repositioning of existing underground utilities.	Buena Vista Creek	Not Applicable	Not Applicable	Withdrawn by the Regional Board Staff

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF JUNE 1, 2007 THROUGH JULY 31, 2007**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
6/12/07	Pacific Medical Buildings, San Diego	Pacific Medical Buildings Utility Line Project	The project is an upgrade of a sewer line required as part of an adjacent medical office building and parking structure project.	Alvarado Creek	0.04 acre of Wetland (T)	The project will be restored to pre-project conditions.	Low Impact Certification & Waiver or Waste Discharge Requirements
6/12/07	Bill and Heidi Dickerson, Coronado	Riprap Replacement 501 First St Coronado	The project consists of the replacement of removed riprap.	San Diego Bay	0.1 acre of Waters	None proposed. The replacement of previous shoreline stabilization will be achieved.	Technically Conditioned Certification & Waiver of Waste Discharge Requirements
6/12/07	Larry and Penny Gunning, Coronado	Riprap Replacement 505 First St Coronado	The project consists of the replacement of removed riprap.	San Diego Bay	0.1 acre of Waters	None proposed. The replacement of previous shoreline stabilization will be achieved.	Technically Conditioned Certification & Waiver of Waste Discharge Requirements
6/18/07	Chula Vista Hills, LLC, Chula Vista	El Dorado Ridge Residential Condominium Project	The project consists of the construction of 104 residential units on 11.6 acres.	Unnamed tributary to Otay River	Permanent: 0.02 acre of Wetland; 0.15 acre of Streambed	Purchase of 0.51 acre of Wetland creation credits at the Rancho Jamul Mitigation Bank.	Technically Conditioned Certification & Waiver of Waste Discharge Requirements

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF JUNE 1, 2007 THROUGH JULY 31, 2007**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
6/19/07	City of Chula Vista, Chula Vista	Emerson Street Drainage Project	The project consists of the maintenance and improvement of stormwater management facilities primarily along Emerson Street.	Unnamed tributary to Sweetwater River	0.03 acre of Wetland (P)	Purchase 0.06 acre of Wetland creation credits or create wetlands within the watershed of impact at a 1:1 ratio.	Technically Conditioned Waiver of Waster Discharge Requirements
6/25/07	United States Department of the Navy, Fallbrook	Fallbrook Creek Culvert #415 Erosion Repair	The project consists of removing debris from the eroded gaps on the downstream side of the culvert and placing fill in the gaps to stabilize the banks and roadway.	Fallbrook Creek	0.009 acre of Wetland (P)	No compensatory mitigation proposed	Time Expired
6/26/07	Harbor Island West Fuel Dock, Harbor Island	Fuel Dock Float Repair	The project consists of replacing aging floats for the fuel line system and installing a public pump out facility.	San Diego Bay	Not Applicable	Not Applicable	Withdrawn by the Regional Board Staff
6/26/07	Robert Smith, El Cajon	Shadow Creek Lane Grading Project, DPW Project No. L-14013	The project consists of the installation of 42" pipe culvert along and with a natural swale.	Unnamed ephemeral drainage to Sweetwater River	Not Applicable	Not Applicable	Withdrawn by the Regional Board Staff

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF JUNE 1, 2007 THROUGH JULY 31, 2007**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
6/26/07	SDG&E, San Diego	Encina East Stormwater Management	The project consists of the construction of 5 desiltation basins, associated outfalls, and stabilization structures. 2 of which involve the filling of two small drainages	Agua Hedionda Lagoon	Not Applicable	Not Applicable	Withdrawn by the Regional Board Staff
6/27/07	Sheadona, LLC, Solana Beach	Mixed-Use Solana Beach Train Station Opportunistic Beach Replenishment Project	The project consists of the placement of 85,000 cubic yards of sand on the beach at Fletcher Cove in two phases.	Pacific Ocean	Not Applicable	Not Applicable	Withdrawn by the Regional Board Staff
6/27/07	Arnold Gieseler, Vista	Elevado Tentative Parcel Map	The project consists of the subdivision of a 17.19 acre site into four residential lots with a private road crossing an unnamed tributary.	Unnamed tributary to Little Gopher Creek	Not Applicable	Not Applicable	Withdrawn by the Regional Board Staff

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF JUNE 1, 2007 THROUGH JULY 31, 2007**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
7/2/07	County of Orange	Dana Point Harbor Maintenance Dredging Project	The project involves dredging Dana Point Harbor to maintain safe navigational capabilities and reusing the dredged coarse material for beach nourishment at Baby Beach and Capistrano Beach.	Pacific Ocean	Dredge: 117,800 Cubic Yards;	The project is self mitigating as the project will restore sand-based marine habitats and beneficial uses.	Technically Conditioned Certification & Waiver of Waste Discharge Requirements
7/5/07	CalTrans District 11, Solana Beach	Geotechnical Studies	The project is conducting geotechnical investigations to evaluate subsurface conditions at the I-5 crossing of the San Dieguito River.	San Dieguito River	Dredge: 3.3 Cubic Yards; 0.23 acre Wetlands (T)	The project is self mitigating.	NWP 6, State Pre-Certified; Notification Only
7/12/07	Barratt American Homes, Inc., Murrieta	Quinta do Lago (Tierra del Rey) Tract 33170	The project is a subdivision of 20.9 acres into 36 multi-family lots with a total of 140 dwelling units.	Unnamed tributary to Warm Springs Creek	0.07 acre of Streambed (P)	Create 2.04 acres and Preserve 0.75 acre of Wetlands and Riparian area.	Technically Conditioned Certification & Waiver of Waster Discharge Requirements

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF JUNE 1, 2007 THROUGH JULY 31, 2007**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
7/13/07	Retail Development Advisors, Murrieta	Orchard-Stone Creek Project	The project consists of an 11.45 acre expansion of a commercial development project previously certified under 04C-027.	Unnamed ephemeral tributary to Murrieta Creek.	An additional permanent impact of 0.03 acre of Streambed, resulting in a total permanent impact of 0.47 acre of Streambed.	A total creation of 2.44 acres of Streambed; Purchased 2.0 acres of credits from the Barry Jones Wetland Mitigation Bank.	Technically Conditioned Certification & Waiver of Waster Discharge Requirements
7/18/07	City of Murrieta	Linnel Lane Extension	The project consists of roadway improvements and the extension of Linnel Lane and Meadowlark Lane, along with the construction of a new overpass over I-215.	Unnamed tributary to Warm Springs Creek.	0.2 acre of Streambed (P)	Create at least 0.3 acre of widened Streambed onsite, and purchase at least 1.0 acre of credits from the Barry Jones Wetland Mitigation Bank.	Technically Conditioned Certification & Waiver of Waster Discharge Requirements
7/20/07	Charlestone-Olive Hill, LLC; The RMCI Group Inc., Bonsall	Olive Hill	The project consists of the construction of 37 single family residences on 46 acres.	Unnamed tributary to San Luis Rey River	0.04 acre of Streambed (P); 0.53 acre of Riparian Forest (P)	Create 0.53 acre and Restore 1.06 acre of Riparian Forest.	Technically Conditioned Certification & Waiver of Waster Discharge Requirements

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF JUNE 1, 2007 THROUGH JULY 31, 2007**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
7/25/07	Rancho Mission Viejo, Rancho Mission Viejo	Geotechnical Investigation in San Juan Creek, Rancho Mission Viejo	The project consists of a geotechnical investigation for the construction of a replacement bridge for the existing Cow Camp Arizona crossing.	San Juan Creek	0.03 acre of Streambed (T)	The project is self mitigating.	NWP 6, State Pre-Certified; Notification Only
7/28/07	Michael La Yasani, Temecula	30854 Lolita Road Temecula, CA 92592	The project consists of constructing a 24' wide driveway to the existing and graded pad for a single family residence.	Unnamed drainage	0.01 acre of Wetland (P)	No compensatory mitigation proposed	Time Expired

1. Wetland refers to vegetated waters of the U.S. and streambed refers to unvegetated waters of the U.S. (P) = permanent impacts. (T) = temporary impacts.
 2. Low impact certification is issued to projects that have minimal potential to adversely impact water quality. Conditional certification is issued to projects that have the potential to adversely impact water quality, but by complying with technical conditions, will have minimal impacts. Denials are issued when the project will adversely impact water quality and suitable mitigation measures are not proposed or possible. Time expired refers to projects that may proceed due to the lack of an action by the Regional Board within specified regulatory timelines. Withdrawn refers to projects that the applicant or Regional Board have withdrawn due to procedural problems that have not been corrected within one year.
- Number of Projects Received Between June 1, 2007 and June 30, 2007: 15
 Number of Projects Received Between July 1, 2007 and July 31, 2007: 5
 Number of Projects Received Between January 1, 2007 and July 31, 2007: 70
 Number of Certification Issued Between January 1, 2007 and July 31, 2007: 38
 Number of Projects Withdrawn Between January 1, 2007 and July 31, 2007: 11
 Number of Projects Where Time-Expired Between January 1, 2007 and July 31, 2007: 6
 Number of Projects Denied Between January 1, 2007 and July 31, 2007: 0

Attachment: Significant Enforcement Actions in July 2007

Agency/Entity: Facility:	Santa Margarita Water District 16 inch force main	7/20/2007
Program:	Sanitary Sewer Overflow	
Enforcement Action:	Investigative Order	
Description:	<p>Issued for the discharge of 600,000 gallons of untreated sewage within the Rancho Mission Viejo Ecological Reserve and into Christianitos Creek on July 3, 2007.</p> <p>The Order requires Santa Margarita Water District to submit a technical report to the Regional Board no later than August 17, 2007.</p>	

Agency/Entity: Facility:	City of San Diego Mission Valley Branch Library	7/26/2007
Program:	Municipal Storm Water	
Enforcement Action:	Notice of Violation and Investigative Order	
Description:	<p>Issued for unauthorized discharge of ornamental pond/fountain water to City storm drain inlet on July 20, 2007.</p> <p>The Order requires the City of San Diego to submit a technical report to the Regional Board no later than August 24, 2007.</p>	

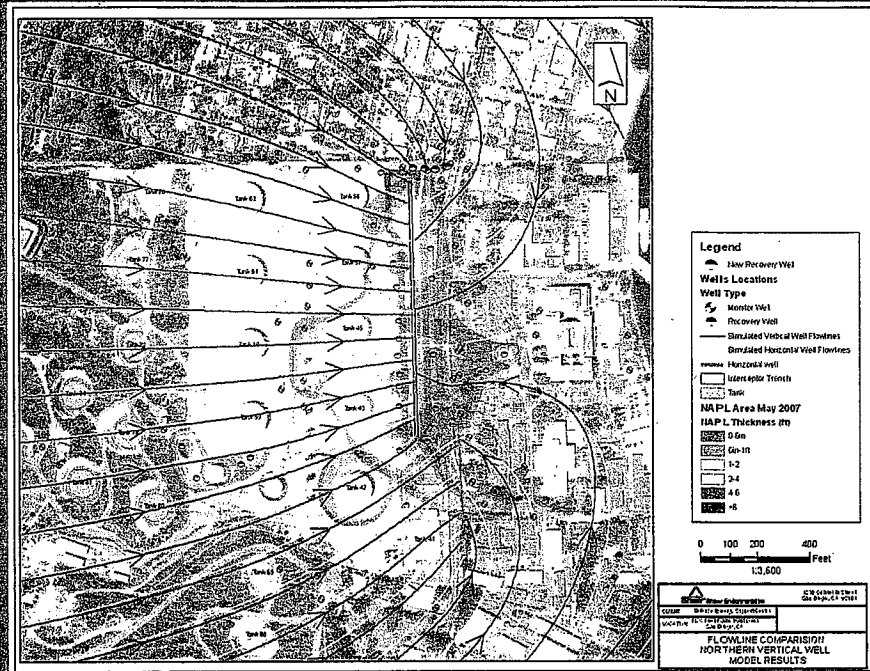
Agency/Entity: Facility:	Southern California Edison San Onofre Nuclear Generating Station	7/31/2007
Program:	National Discharge Elimination System	
Enforcement Action:	Notice of Violation and Investigative Order	
Description:	<p>Issued for violations of its self monitoring and reporting program discovered during March 12, 2007 facility inspection.</p> <p>The Order requires Southern California Edison to submit a technical report to the Regional Board no later than August 31, 2007.</p>	

Agency/Entity: Facility:	United States Marine Corps MCB Camp Pendleton	7/31/2007
Program:	National Discharge Elimination System	
Enforcement Action:	Notice of Violation and Investigative Order	
Description:	<p>Issued for violations of its self monitoring and reporting program discovered during March 7, 2007 facility inspection.</p> <p>The Order requires the United States Marine Corps to submit a technical report to the Regional Board no later than August 31, 2007.</p>	

Agency/Entity: Facility:	Ashby USA, LLC Roripaugh Ranch, Temecula	7/31/2007
Program:	Construction Storm Water	
Enforcement Action:	Complaint for Administrative Civil Liability (ACL)	
Description:	<p>ACL Compliant No. R9-2007-0064 recommending a \$546,250 assessment of civil liability against Ashby USA, LLC (Ashby) for violations of its Regional Board issued Water Quality Certification No. 01C-091. The Complaint alleges that Ashby disturbed areas to be protected, failed to submit a mitigation plan, failed to implement mitigation, and failed to design and install a detention basin.</p> <p>A public hearing is scheduled for October 10, 2007. Ashby has until August 24, 2007 to notify the Regional Board of whether it will contest the penalty or waive its' right to hearing.</p>	

Agency/Entity: Facility:	US Navy Sewage Collection System, San Diego	7/31/2007
Program:	Sanitary Sewer Overflow	
Enforcement Action:	Notice of Violation and 13267 Investigative Order	
Description:	<p>The Order was issued to continue the investigation into the nature and circumstances of 14.2 million gallon spill of untreated sewage that was discharged from the new Palmer Hall barracks to a storm drain that discharged to Chollas Creek and San Diego Bay. The Navy attributes the cause to the cross-connection of the waste pipes to the storm drain. The discharge went undetected for two years until November 2006.</p> <p>On December 28, 2006 the United States Navy submitted a preliminary technical report on the nature of the spill. An updated report is due to the Regional Board on September 7, 2007</p>	

Recovery Well and Trench Capture Results



18 July 2007 DOD/Community Liaison Group

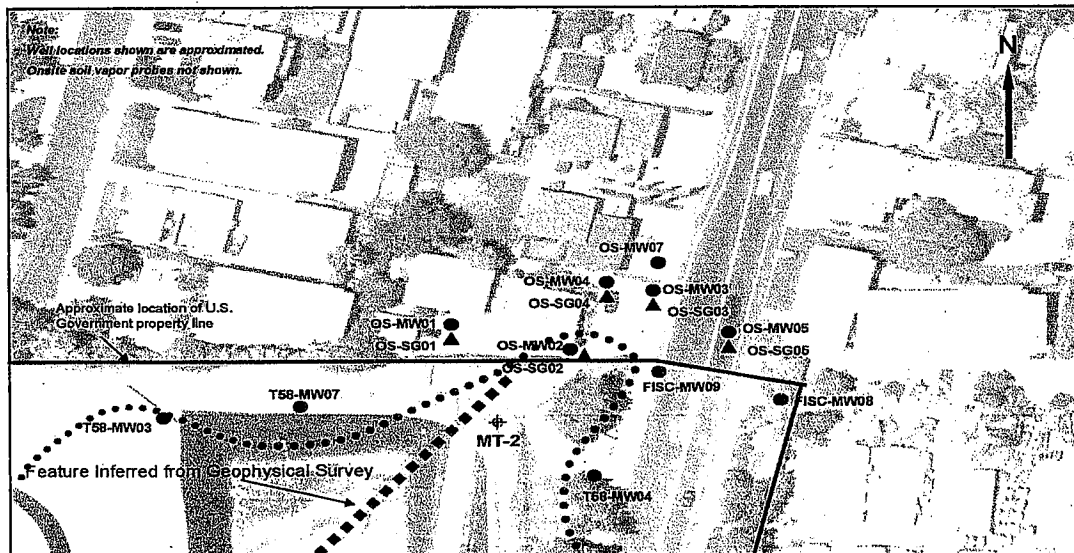


USAF/AFCEC/AFCEC/AFCEC

Fuel Recovery System Design



May 2007 Fuel Plume Map



- Legend**
- Offsite Observation Well
 - ▲ Offsite Soil Vapor Probe
 - Onsite Monitoring/Recovery Well

Portion of the Fuel Plume across Federal Property (Blue Line)