

San Diego Regional Water Quality Control Board



Executive Officer's Report

October 14, 2009

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Attachments for A-2 and B-1 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

October 14, 2009

PART A

SAN DIEGO REGION STAFF ACTIVITIES *(Staff Contact)*

1. Personnel Report *(DiAnne Broussard)*

The Organizational Chart of the California Regional Water Quality Control Board, San Diego Region (Regional Board) can be viewed at http://www.waterboards.ca.gov/sandiego/about_us/org_charts/orgchart.pdf

Departures

Water Resource Control Engineer Melissa Valdovinos has moved to North Carolina. Her last day in the office was September 30. Melissa will continue to work for the Core Regulatory Unit from a distance until mid-December 2009. Melissa came to work for the San Diego Regional Board in November 2005. Initially she worked for the Publicly Owned Treatment Works Compliance Unit. After an office wide reorganization she was assigned to the Core Regulatory Unit. Brian Kelley was her supervisor in both assignments. Melissa has a Bachelor and a Master of Science degrees in Civil Engineering. She also taught at San Diego State University.

Recruitment

The Regional Board is continuing the recruitment process for an Executive Officer. Interviews are scheduled to take place in the latter part of October. We hope to make an announcement late in October or early in November. Our current Executive Officer, John Robertus, will retire at the end of December.

Vacant positions for the State and Regional Boards are posted on the State Board web page at http://www.waterboards.ca.gov/about_us/employment/

This is the link to the State Personnel Board vacancy web page.
http://www.spb.ca.gov/employment/wvpos_index.htm

2. Salt/ Nutrient Management Planning Workshop *(Robert Pierce)* *(Attachment A-2)*

Groundwater Basins Branch staff participated in the October 6 kickoff workshop initiating the stakeholder process for development of Salt/Nutrient Management Plans required by the State Recycled Water Policy. The Workshop was jointly sponsored by the Regional Board, San Diego County Water Authority, and Southern California Salinity Coalition. Approximately 65 attendees heard presentations on the development of the Recycled Water Policy, historical efforts to develop plans in the San Diego Region, lesson learned from the Santa Ana

watershed efforts, and the benefits of a stakeholder driven process. Stakeholders were invited to discuss the benefits of a collaborative planning process, approaches for supporting the regional planning process, and follow-up actions to refine the approach. Attendees expressed their desire to attain "regulatory certainty" in order to commit funding for expanding recycled water projects.

The stakeholders reached a general consensus on several parts of the approach. There is interest in a Regional approach addressing broad issues, rather than per watershed, such as defining key terms, and compliance for iron and manganese in particular. There is interest in developing general guidelines for the planning process that would be lead by the Workshop sponsors. There is interest in pursuing Regional funding for the planning process, such as through the Integrated Regional Watershed Management Plan. Stakeholders arranged work groups to follow-up on these consensus issues.

The Regional Board will continue to work with stakeholders throughout the process. Groundwater Basins Branch staff will assist stakeholders in developing consistent guidelines for the planning process, and review work plans and monitoring plans. The State Board will provide by November 2009 an online tool to track the progress of Salt/Nutrient Management Planning and an outline of the minimum elements necessary for basin plan amendments to assist the Regional Board. A copy of State Board Executive Director Dorothy Rice's memo to the Regional Board Executive Officers on the "Role of Regional Water Boards in Implementation of Recycled Water Policy" was included in the Workshop materials provided to the attendees (Attachment A-2).

For more information or to participate in the stakeholder process, please visit <http://www.socalsalinity.org/>.

PART B **SIGNIFICANT REGIONAL WATER QUALITY ISSUES**

1. Sanitary Sewer Overflows (SSOs) July-August 2009 *(Christopher Means)* *(Attachment B-1)*

The following is a summary of the sewage spills that occurred during the period July and August 2009 that have been reported and certified by August 31, 2009. Sewage Collection Agencies now report Sanitary Sewer Overflows (SSOs) on-line at the State Water Resources Control Board's CIWQS database pursuant to the requirements of State Board Order No. 2006-0003-DWQ (*General Statewide Waste Discharge Requirements for Sewage Collection Agencies*). Reports on sewage spills are available on a real-time basis to the public from the State Board's webpage at: <https://ciwqs.waterboards.ca.gov/>

Public Spills: From July 1 to July 31, 2009, there were 10 public SSOs in the San Diego Region that were reported on-line at the State Board's CIWQS

database. These included one spill of 1,000 gallons or more and six that reached surface waters, including storm drains. The combined total volume of reported sewage spilled from all publicly-owned collection systems for the month of May 2009 was 20,419 gallons.

From August 1 to August 31, 2009, there were 5 public SSOs in the San Diego Region that were reported on-line at the State Board's CIWQS database. These included two spills of 1,000 gallons or more and two that reached surface waters, including storm drains. The combined total volume of reported sewage spilled from all publicly-owned collection systems for the month of June 2009 was 7,613 gallons.

Reported Private Spills: In July and August 2009, 40 discharges of untreated sewage from private laterals were reported by the collection agencies on-line pursuant to the San Diego Regional Board Order No. R9-2007-0005 (*Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region*). These included six spills of 1,000 gallons or more and 8 of the spills reached surface waters, including storm drains. The combined total volume of reported private lateral sewage discharges for the months of July and August 2009 was 13,179 gallons.

A total of 0.0 and trace amounts of rainfall were recorded at San Diego's Lindbergh Field for July and August 2009, respectively. For comparison, in July and August 2008, 16 and 14 SSOs were reported during a period of time when 0.0 and trace amounts of rainfall were recorded at Lindbergh Field, respectively. A total of 23 private lateral sewage discharges were reported during July and August 2008.

Attached are three tables titled:

- "July 2009 - Summary of Public Sanitary Sewer Overflows in Region 9"
- "August 2009 - Summary of Public Sanitary Sewer Overflows in Region 9"
- "July and August 2009 - Summary of Private Lateral Sewage Discharges in Region 9."

Additional information about the Regional Board's SSO regulatory program is available at the Regional Board's web site at <http://www.waterboards.ca.gov/sandiego/programs/sso.html>.

2. State Water Board Sanitary Sewer Overflow (SSO) Reduction Program Public Meeting (Christopher Means)

On September 15, 2009, Christopher Means of the Compliance and Assurance Unit attended the first of two statewide informal public meetings held by the State Water Resources Control Board to elicit comments on the performance of the statewide Sanitary Sewer Overflow Reduction Program (SSO Reduction Program) including the *General Waste Discharge Requirements for Sanitary Sewer Systems*, Order No. 2006-0003-DWQ. The meeting was well attended by

stakeholders from across the southern California region. Information on the SSO Program Review and Update can be found at:

http://www.waterboards.ca.gov/water_issues/programs/sso/review_update.shtml

State Board staff provided a presentation which included past and current program activities and the status of the SSO General Order's effectiveness in reducing SSOs statewide. Topics discussed at the meeting included:

- How the State Board could improve the performance and implementation of the SSO Reduction Program.
- How the existing online reporting system could be improved.
- Should reporting of spills from privately owned lateral continue to be voluntary or should mandatory reporting requirements be imposed?
- Are the existing Sewer System Management Plans elements adequate to ensure long-range reductions in SSOs, or should more specific requirements be required?
- Should mandatory sanitary sewer system operator certification be required statewide?

The San Diego Regional Board also regulates SSOs under Order No. R9-2007-0005, *Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region*. Unlike the State Board Order, the Regional Board Order requires sewage collection agencies to report private lateral spills and considers and prohibits any discharge of sewage upstream of a sewage treatment plant.

Written comments and recommendations concerning the SSO Reduction Program Review and Update are being accepted by the State Board until October 19, 2009. San Diego Regional Board Staff provided preliminary comments prior to the meeting and plans to submit written comments prior to the deadline suggesting that the State Board Order include the unique provisions of the Regional Board Order.

3. Enforcement Actions for September 2009 (Jeremy Haas)

The following is a summary of all enforcement actions taken or initiated during the month of August 2009. During this period the California Regional Water Quality Control Board, San Diego Region (Regional Board) initiated eleven enforcement actions: One Cleanup and Abatement Order, two Investigative Orders, six Notices of Violation, and two Staff Enforcement Letters.

In addition to the summary information provided below, access to information on violations, enforcement actions, and Mandatory Minimum Penalties (MMPs) on a real-time basis is available to the public from the State Water Resources Control Board's Internet webpage at:

http://www.waterboards.ca.gov/water_issues/programs/enforcement/

CLEANUP AND ABATEMENT ORDERS (CAO)**Chevron Environmental Management Company and City of San Juan Capistrano, Chevron Service Station No. 9-3417**

CAO R9-2009-0124 was issued by the Regional Board on September 3, 2009 (revised for typographic errors on September 28, 2009) to Chevron Environmental Management Company and the City of San Juan Capistrano for an unauthorized release of petroleum hydrocarbons from the Chevron Service Station No. 9-3417 located at 32009 Camino Capistrano, San Juan Capistrano. The CAO requires Chevron and the City to submit technical reports and cleanup or abate the effects of the release that have resulted in a condition of pollution caused by a methyl tertiary butyl ether (MTBE) plume in groundwater. A site assessment report and a corrective action plan are due by April 30, 2010. Completion of the source area cleanup must be achieved by January 5, 2015, and completion of the non-source area cleanup must be achieved by January 6, 2020.

INVESTIGATIVE ORDERS**J.J. Automotive, Bonsall**

Investigative Order No. R9-2009-0034 was issued to J.J. Automotive, located in Bonsall, on September 2, 2009 in response to an unauthorized release of petroleum hydrocarbons. The Order requires a site investigation and characterization work plan be submitted by December 1, 2009, and a final report be submitted by April 1, 2010. The reports will be used by the Regional Board to determine the vertical and lateral extent of the discharge, ascertain if the condition of pollution poses a threat to human health, and provide technical information to determine what cleanup and abatement measures are necessary to bring the site into compliance with applicable water quality standards.

Agri Chemical & Supply, Inc., Oceanside

Investigative Order No. R9-2009-0150 was issued to Agri Chemical & Supply, Inc., located in Oceanside, on September 8, 2009 in response to an unauthorized release of petroleum hydrocarbons. The Order requires a site investigation and characterization work plan be submitted by December 3, 2009, and a final report be submitted by April 1, 2010. The reports will be used by the Regional Board to determine the vertical and lateral extent of the discharge, ascertain if the condition of pollution poses a threat to human health, and provide technical information to determine what cleanup and abatement measures are necessary to bring the site into compliance with applicable water quality standards.

NOTICES OF VIOLATION (NOV)**Riverside County, Department of Public Works, Anza Sanitary Landfill**

NOV No. R9-2009-0144 was issued to the County of Riverside, Department of Public Works on September 1, 2009 for alleged violations of the Monitoring and Reporting Program (MRP) for Order No. R9-2005-0183 and CCR Title 27, 20415(b)(1)(C)(2). In accordance with the MRP and CCR Title 27, the County of Riverside was required to install at least one deep monitoring well for the

purposes of monitoring the deep aquifer downgradient and cross-gradient from the Anza Sanitary Landfill. The County has not installed the deep well and has therefore failed to monitor the deep aquifer.

Coronado Cays Community, Dock Repair and Replacement, Coronado

NOV No. R9-2009-0164 was issued to the Coronado Cays Community Homeowners Association on September 16, 2009 for nine alleged violations of Clean Water Act Section 401 Water Quality Certification No. 08C-055. The NOV alleges a failure to meet requirements for implementing best management practices, monitoring, and reporting.

United State Marine Corps Base, Camp Pendleton

NOV No. R9-2009-0151 was issued to the United State Marine Corps Base, Camp Pendleton on September 22, 2009 for violations of WDR Order No. 98-04, *Waste Discharge Requirements for United States Marine Corps, Marine Corps Base Camp Pendleton, California, Sewage Treatment Plant No. 9 (Las Pulgas)*. The NOV alleges two violations: First, a deficient monitoring report was submitted for January 2009; and second, a discharge of waste to land occurred on May 1, 2009 when 6,700 gallons of untreated wastewater spilled from the primary clarifier and percolated into the ground.

United State Marine Corps Base, Camp Pendleton

NOV No. R9-2009-0158 was issued to the United State Marine Corps Base, Camp Pendleton on September 22, 2009 for violations of WDR Order No. 97-13, *Waste Discharge Requirements for United States Marine Corps, Marine Corps Base Camp Pendleton, California, Horno Sewage Treatment Plant (10) & San Onofre Sewage Treatment Plant (11), San Diego County*. The NOV alleges four violations for deficient monitoring reports resulting from improper sampling technique and reporting and failure to operate and maintain the facility to achieve compliance with the Order. Specifically, the NOV alleges that three deficient reports were submitted and that a lack of a backup or auxiliary power supply resulted in the failure to monitor effluent flow during three separate power failures.

Rancho Santa Fe Community Services District, Santa Fe Valley Reclamation Plant

An NOV was issued to the Rancho Santa Fe Community Services District on September 30, 2009 for one alleged violation of the discharge specifications for manganese effluent concentration within WDR Order No. R9-2002-0013, *Master Reclamation Permit with Waste Discharge Requirements for The Production And Purveyance of Recycled Water for Rancho Santa Fe Community Services District, Santa Fe Valley Water Reclamation Plant, San Diego County*.

Ramona Municipal Water District, Santa Maria Water Reclamation Facility

An NOV was issued to the Ramona Municipal Water District on September 30, 2009 for three alleged violations of the sulfate and total dissolved solids discharge

specifications of WDR Order No. 2000-177, *Master Reclamation Permit for Ramona MWD, Santa Maria Wastewater Treatment Plant, San Diego County.*

STAFF ENFORCEMENT LETTERS (SEL)

KZ Financial, KSquare Gas & Service, Escondido

An SEL was issued to KZ Financial on September 21, 2009 in response to a determination that an unauthorized release of petroleum hydrocarbons occurred at KSquare Gas & Service, located in Escondido. KZ Financial is identified as a responsible party because it was the property owner at the time of the release. The SEL notifies KZ Financial that CCR Title 23 requires them to conduct corrective action measures, and it requests a status report from KZ Financial by October 30, 2009.

Three Wives, Inc., Palomar Village Shell, Temecula

An SEL was issued to Three Wives, Inc. on September 21, 2009 in response to a determination that an unauthorized release of petroleum hydrocarbons occurred at the Palomar Village Shell facility, located at 42197 Margarita Road, Temecula. The SEL notifies Three Wives, Inc. that CCR Title 23 requires them to conduct corrective action measures, and it requests a status report from Three Wives, Inc. by October 30, 2009.

4. Enforcement Policy Update (Jeremy Haas)

On October 20, 2009, the State Water Resources Control Board (State Board) will hold a public hearing in Sacramento to consider adopting an updated statewide Water Quality Enforcement Policy, which was last adopted in 2002. The Compliance Assurance Unit staff did not provide formal written comments, but have been involved via the enforcement roundtable in reviewing and commenting on early drafts. The proposed Policy reflects the 2008 State Board Strategic Plan, which calls for fair, firm, and consistent enforcement throughout the State. Information is available from the State Board web page at http://www.waterboards.ca.gov/water_issues/programs/enforcement/

Two significant elements of the proposed Policy include criteria for prioritizing discretionary enforcement actions and a numeric formula for determining monetary assessments in administrative civil liability actions. The use of a numeric formula for recommending penalty amounts will be a significant change to how liabilities are currently assessed. The current Policy provides guidance on evaluating relevant factors, whereas the proposed Policy includes a multi-step numeric formula to derive a calculated penalty. In addition, the Policy would direct the State and Regional Boards to annually identify enforcement priorities and evaluate the success of the previous year's priorities in an annual enforcement report.

The Policy lays out a two-tier model for prioritizing enforcement. First, both statewide and regional enforcement priorities would be established annually. Second, each violation would be ranked according to the threat to water quality,

human health, and the environment. This information would then be considered in regular meetings of senior Regional Board staff and the Office of Enforcement, which is the equivalent of our regular Compliance Oversight Group meetings.

The current Regional Board process for prioritizing and implementing enforcement actions is generally consistent with the proposed Policy. However, in response to the proposed Policy and comments from Regional Board members at the March 2009 enforcement workshop, the Branch Chiefs and Enforcement Coordinator have been updating the region's enforcement prioritization process to effectively "regionalize" the proposed Policy. The updated process will be summarized in the region's annual enforcement report required by the proposed Policy.

5. Lake O'Neill Maintenance Dredge Project (*Chad L. Loffen*)

The United States Marine Corps Base Camp Pendleton received authorization for enrollment in Regional Board Order No. 96-32, *General Waste Discharge Requirements for Maintenance Dredge/Fill Projects Conducted in Navigable Waters within the San Diego Region* on September 14, 2009 for the Lake O'Neill Maintenance Dredging Project. The Regional Board received an application for 401 Water Quality Certification for the Lake O'Neill Dredging Project on July 03, 2009 for the maintenance dredging of up to 400,000 cubic yards from 67 acres of non-wetland portions of Lake O'Neill. The maintenance dredging is required to restore lost water capacity of at least 44 acre-feet. Most of the 400,000 cubic yards of sediment has accumulated in the project area since the last dredging was performed in 1991. The removed sediment will be dewatered in artificial ponds adjacent to Lake O'Neill prior to transport to 3-MILE PIT, an inert waste disposal facility located on Camp Pendleton. Enrollment in Order No. 96-32 obviates the need for 401 Certification for the project. Pursuant to Condition 13 of Order No. 96-32, the Executive Officer will notify the Regional Board of the receipt of an application and issuance of an authorization letter at the next regularly scheduled Regional Board Meeting.

6. Pre-wet Season Construction Site Inspection Training (*Tony Felix*)

Tony Felix, Water Resource Control Engineer of the Regional Water Quality Control Board, San Diego Region, provided a technical presentation at the Orange County Storm Water Program's annual pre-wet season construction inspection training on September 30, 2009. RBF Consulting also presented on behalf of Orange County. Numerous Copermitttees of south Orange County attended the training that focused on the dual regulations of State and local agencies regarding construction site inspection. Questions and discussion pertained to overviews of State laws, water quality ordinances, evaluations of Best Management Practices, and other technical procedures as outlined in the Statewide General Construction Storm Water permit and the Municipal Separate Storm Sewer System (MS4) permit for southern Orange County.

7. Drought and Water Conservation Update (*Robert Pierce*)

This year has been the third year of drought in California, marked by below average precipitation and runoff. Across the State, precipitation was 78 percent of average levels during the October 2008 to September 2009 Water Year. Rainfall in the City of San Diego for the 2008 Water Year has dropped to 62 percent of "normal." At the time of the last Executive Officer Report on drought conditions in August 2009, the precipitation was 67 percent of normal. Only 2 of the last 10 years have received "normal" rainfall. The City of San Diego remains in a Level 2 Drought Alert Condition that restricts water use. The San Diego County Water Authority has restarted water conservation incentives for residents and businesses with Metropolitan Water District funding through May 2010, or until the \$6 million program is depleted.

The State entered the 2009-2010 Water Year with its key supply reservoirs at only 68 percent of average. The Metropolitan Water District provides drinking water for nearly 19 million people in southern California including importing water from the Colorado River and the Sacramento-San Joaquin Delta. As of 2007, Metropolitan held enough water in reserve to help withstand up to three successive dry years. Prolonged dry conditions have reduced available supplies and worsening environmental conditions now challenge Metropolitan's ability to replenish reserves in wet years. As of February 2009, Metropolitan had water reserves of 1.8 million acre-feet (0.7 million acre-feet is reserved for emergencies only), necessitating the Water Supply Allocation Plan for mandatory conservation. For reference, 0.5 acre-feet is enough to meet the household needs of a typical California family for one year. Landscaping accounts for about 50 percent of the water Californians use at home and toilets use about 20 percent. To grow enough food for the same family for one year takes 3.3 acre-feet of water.

For more information on California's drought and water conservation, see <http://www.water.ca.gov/drought/>. For more information on the City's water use restrictions, see <http://www.sandiego.gov/water/conservation/drought/>.

8. US EPA Approval of Natural Sources Basin Plan Amendment (*Amy Mecklenborg*)

On September 16, 2009, the United States Environmental Protection Agency approved the Amendment to the Water Quality Control Plan for the San Diego Basin to incorporate "Implementation Provisions for Indicator Bacteria Water Quality Objectives to Account for Loading from Natural Uncontrollable Sources Within the Context of a Total Maximum Daily Load" (Resolution No. R9-2008-0028). This Basin Plan Amendment was adopted by the San Diego Regional Water Quality Control Board on May 14, 2008, approved by the State Water Resources Control Board on March 17, 2009, and approved by the California Office of Administrative Law on June 25, 2009, and is now in full effect.

This Basin Plan Amendment authorizes the Regional Board to develop and adopt bacteria TMDLs that allow bacteria water quality objectives (WQOs) to be

exceeded in receiving waters during both storm flows and dry weather flows to the extent that the exceedances are caused by natural, uncontrollable sources in the watershed. This amendment does not change the water quality objectives for indicator bacteria, but rather adds implementation provisions to the Basin Plan that allow the Regional Board to implement the indicator bacteria water quality objectives for the contact water recreation (REC-1) and non-contact water recreation (REC-2) beneficial uses within the context of a TMDL.

Specifically this Basin Plan Amendment allows the Regional Board to implement the water quality objectives by using a reference system and antidegradation approach (RSAA) or a natural sources exclusion approach (NSEA), in the context of a TMDL. These two approaches recognize that there are natural (non-human) sources of bacteria which can cause or contribute to exceedances of water quality objectives for indicator bacteria. The purpose of Basin Plan water quality objectives for indicator bacteria and associated TMDLs is to prevent or reduce human illness due to human pathogens (disease causing agents in humans). These two approaches make clear that dischargers are only required to control bacteria from anthropogenic (i.e., human) sources, which are most likely to be associated with human pathogens. The approaches further acknowledge that it is not the intent of the Regional Board to require dischargers to control bacteria from natural sources, which are not generally associated with human pathogens.

9. Clean Water Act Sections 305(b) and 303(d), Integrated Report for the San Diego Region for 2008: Update *(Amy Mecklenborg)*

Clean Water Act Section 305(b) requires each state to report biennially to the United States Environmental Protection Agency (U.S. EPA) on the quality of its waters. CWA Section 303(d) requires each State to develop, update, and submit biennially to the U.S. EPA a list of waterbodies or segments that are "impaired or threatened" which either do not meet, or not expected to meet, water quality standards before the next listing cycle. In addition, waterbodies on the 303(d) list can be delisted when evidence establishes that the impairment(s) does not exist and the waterbody is meeting water quality standards, or that the impairment listing is flawed. Impaired waterbodies or segments on the 303(d) list must be addressed through the development of TMDLs or by other means as described in the State's Water Quality Control Policy for Addressing Impaired Waters.

The State Water Board solicited data from the public by issuing a formal solicitation notification on December 4, 2006, and again on January 30, 2007. Data were received through December 2007. In addition to the data received during solicitation, other readily available data from numerous other sources were assessed for the preparation of this Integrated Report. Public notification of Draft Integrated Report availability for public review and comment and announcement of the public hearing was provided to interested parties via the LYRIS email list on August 31, 2009, published in the local newspapers (San Diego Union Tribune, the Orange County Register, and Riverside Press-

Enterprise on September 1, 2009, and North County Times on September 3, 2009), and posted on the San Diego Regional Board website on August 31, 2009.

In order to facilitate public comment and engage stakeholders in a discussion of the Integrated Report, the Regional Board has provided additional time and clarified the public comment process for the Integrated Report. In particular, the Regional Board has:

- Extended the written comment period to October 26th in order to give a total of fifty-six days for written public comments on the Integrated Report.
- Scheduled a public workshop for Regional Board staff to discuss stakeholders' questions and comments on the "Clean Water Act Sections 305(b) and 303(d), Integrated Report for the San Diego Region" (*Integrated Report*). The public workshop will be held in the San Diego Regional Board Room on Monday, October 12, 2009 at 2:00 pm. And,
- Rescheduled the public hearing and agenda item to November 18, 2009 for the Board's consideration and adoption of the Integrated Report.

Public notification of these changes have been provided to interested parties via the LYRIS email list on September 22, 2009, published in the local newspapers (San Diego Union Tribune, and Riverside Press-Enterprise on September 26, 2009, the Orange County Register on September 25, 2009, and North County Times on September 30, 2009), and posted on the San Diego Regional Board website on September 22, 2009 at:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/303d_list/ref_reports/Final_Noteice_303d_Public%20comments_workshop_and%20PublicHearing_rev1.pdf

The 303(d) List of Impaired Waterbodies is included in a draft technical report: "Clean Water Act Sections 305(b) and 303(d), Integrated Report for the San Diego Region" (*Integrated Report*) for 2008. The Integrated Report includes an updated 303d List and an assessment of surface water quality in accordance with Clean Water Act section 305(b).

(http://www.waterboards.ca.gov/sandiego/water_issues/programs/303d_list/index.shtml).

Additional information on the Integrated Report can be found in the July 2009 Executive Officer Report item on the Updated 303d List at:

http://www.waterboards.ca.gov/sandiego/publications_forms/publications/eoreports.shtml

The Regional Board staff is currently developing responses to public comments and informal comments submitted by the State Board staff. The Responses to Comments will be provided as Appendix K to the Integrated Report for the

November agenda item. Any revisions to the document will be incorporated into the Integrated Report as Errata.

10. Status of Basin Plan Triennial Review (*Deborah Woodward*)

The Triennial Review is a periodic review of the Basin Plan mandated by state and federal laws. Its purpose is to identify needed updates to water quality standards and other aspects of the Basin Plan. The result of the review is a prioritized list of issues that require Basin Plan amendments, with a subset of the highest priority issues constituting a work plan that is adopted by the Regional Board and is used to guide basin planning activities over the following three years.

The San Diego Regional Board initiated its current Triennial Review in October 2008 with an informational public workshop and a 70-day solicitation period that closed on January 9, 2009. Shortly thereafter, in February 2009, work on the triennial review was temporarily suspended when key staff was redirected to another high priority project.

At this time, work is proceeding on the preparation of a database to compile the comments received during the solicitation period and on the development of criteria with which to evaluate and prioritize identified issues. Prioritization of issues is essential because the number of identified issues far exceeds the staff resources available to develop Basin Plan amendments to address them. Both products will be used and modified as needed in future Triennial Reviews.

A detailed description of the evaluation and prioritization criteria and the list of draft prioritized issues will be made available for public review and comment in early 2010. A public workshop is planned for March and Regional Board public hearing tentatively scheduled for April 2010. A Tentative Resolution including the proposed priority list and work plan will be presented for the Regional Board's consideration in the summer of 2010.

The Triennial Review is an opportunity for interested parties to give the Regional Board valuable input on Basin Plan issues and priorities. Anyone interested in receiving future updates and noticing relating to the Triennial Review is encouraged to subscribe to the "Basin Plan Issues" electronic mailing list at: http://www.waterboards.ca.gov/resources/email_subscriptions/reg9_subscribe.shtml.

More Triennial Review information, including links to all public notices to date, the San Diego Basin Plan, and previous Triennial Review (2004), is provided at: http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/tri_review.shtml.

Prior Executive Officer Reports relating to the Triennial Review can be found in the November 2008 and January 2009 issues available at:

http://www.waterboards.ca.gov/sandiego/publications_forms/publications/eoreports.shtml.

11. Water Quality Data Portal for the San Diego Region (*Lilian Busse, David Gibson*)

The San Diego region has a rich collection of water quality data and variables that impact water quality (e.g., land use and hydrology) and has long recognized the need to make these water quality data accessible to the stakeholders and explored various options over the years to improve access. An informal public-nonprofit-private sector partnership was started in 2005 between the San Diego Regional Board, the San Diego River Park Foundation, and EcoLayers, Inc., to explore innovative web-based approaches for the integrated, collaborative, and adaptive management on information about the San Diego River Watershed. As part of this collaborative effort, a web-based Water Quality Data Portal was developed by EcoLayers. A "data portal" presents primary data from diverse sources in a unified way.

In spring of 2009, a project started to apply the Water Quality Data Portal to the entire San Diego region through funds from the Cleanup and Abatement Account. This effort is one among many efforts in California to disseminate water quality data. However, this project is tailored to the needs of the stakeholders of the San Diego region.

The general objectives for the Water Quality Data Portal are: (1) consolidate access to different sources of information currently residing in different databases, with organizations or on websites; (2) provide access to different types of information, such as data from different programs (e.g., SWAMP, MS4, bioassessment, beneficial uses, water quality objectives, 401 permits), using important spatial layers related to water quality (e.g., major water bodies, watersheds, monitoring sites, jurisdictional boundaries), documents, and photographs; (3) make the data easy to use by the general public, requiring no special technical expertise; (4) integrate information, allowing users to bring together information across different water quality programs and spatial layers, based on their areas of interest; (5) provide simple on-line tools for the general public to search, visualize and retrieve water quality data; (6) make the portal expandable, to accommodate new data sets, spatial features (layers), on-line tools and functionality over time; (7) keep the portal network friendly, so stakeholders can incorporate portal data directly into their in-house systems or other dedicated portals; and (8) maintain data integrity, through periodic updates and maintenance.

Another objective of the project is to develop innovative, institutional mechanisms to make it economically self-sustaining through local stakeholder involvement. This should encourage local control and stewardship of the data, lower costs and deliver real value to stakeholders. A failing of other systems has been the disconnect between the funding of the system and its value as perceived by the intended audiences.

The first public release of the Water Quality Data Portal is scheduled for early 2010 and will be available through the San Diego Regional Board website.

12. Marina Permit Update - Legal Authority to Effective Regulation of Marinas
(Molly Munz and Lillian Busse)

Waste Discharge Requirements (WDRs) for Marinas

The California Water Code (CWC) specifies that the discharge of waste to waters of the state is a privilege, not a right (§13263) and provides for such discharges to be prohibited (§13242) and otherwise regulated (§13263). The California Water Code (§13000 et seq.) requires that all persons discharging or proposing to discharge waste that could affect the quality of the waters of the state are subject to regulation under waste discharge requirements, a conditional waiver, or a prohibition of discharge. Waste discharge requirements must implement applicable water quality control plans and must take into consideration the beneficial uses of water to be protected, the water quality objectives reasonably required to protect beneficial uses, other waste discharges, the need to prevent nuisance, and the factors specified in the California Water Code §13241.

The State Water Board is authorized to prescribe general waste discharge requirements (§13263(i)) for a category of discharges, if the following criteria apply: (1) the discharge are produced by the same or similar operations; (2) the discharges involve the same or similar types of waste; (3) the discharges require the same or similar treatment standards; and (4) the discharges are more appropriately regulated under general, rather than individual, requirements.

Accordingly, a general WDR is an appropriate tool to regulate discharges associated with marina activities because these discharges result from similar operations, involve similar types of waste, and require the same or similar best management practices to control or abate the discharge of waste. A general WDR issued by the State Water Board would promote statewide consistency in the regulation of waste discharges from marina activities, by establishing uniform requirements for the development of pollution prevention plans and for monitoring and reporting. The State Water Board intends to regulate waste discharges from marinas with 10 or more slips or moorings in the coastal regions of the state through general waste discharge requirements that require marina owners or operators to develop and implement best management practices and to conduct monitoring. More information on the WDRs for marinas can be found at:

http://www.waterboards.ca.gov/water_issues/programs/nps/

Regulating Marinas vs. Individual Boaters

The State Board considers the regulation of marinas to be more appropriate than regulating individual boat owners for several reasons. Hydrologically, marinas are often protected from tidal action and as such, are areas of reduced flushing. The reduced flushing and high concentration of individual sources of waste, i.e. boat hulls and individual boater's activities within marinas exacerbates water

quality and has lead to some impaired water bodies. Legally, individual boaters enter into a slip lease contract with the marina owner, who in turn collects money to rent out the slip or mooring. It is this association that provides marinas with the legal authority to require certain behavior changes or choices of the individual boater at their marina that can dramatically impact on the quality of coastal waters. It is a scientifically valid and legally permissible approach to regulate marinas rather than individual boat owners.

Department of Pesticide Regulation

The California Department of Pesticide Regulation (DPR) may impose additional controls on registered paints under the California Agriculture Code. In September 2005, the State Water Board passed resolution number 2005-0071, in which the State Water Board encouraged the DPR to pursue the appropriate scientific and regulatory avenues to address water quality concerns associated with copper-based antifouling paints (AFPs). The resolution requested that DPR take appropriate action to adequately address the impacts of copper AFPs on water quality, otherwise the State Water Board will work with the Regional Water Boards to develop a statewide water quality control policy for copper AFPs. As of today, DPR has not taken any regulatory action to control the use of copper-based AFP on boat hulls. With the need to restore waterbodies impaired by marina-related pollutants and pressing timelines for achieving TMDLs developed for some of these waterbodies impaired by marina-related pollutants, the State Board has determined that general WDRs for coastal marinas is the appropriate regulatory course of action.

Tentative Timeline For Coastal Marina Permit (WDR) Adoption

Fall 2009

- Complete Staff Report.
- Finish legal review of Draft WDR by OCC.

Winter/Spring 2010

- Circulate Draft WDR and Staff Report for review by State and Regional Board Staff.
- Revise WDR and Staff Report at State Board.
- Circulate Final Draft WDR for review by Stakeholder and other Agencies.
- Conduct a series (5) of Stakeholder Workshops along the coast.

Summer/Fall 2010

- Prepare Final WDR and Staff Report
- State Board Hearing for Adoption

PART C
STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION

1. Enclosed Bays and Estuaries Plan Approved by USEPA (*John Anderson*)
The State Water Board's *Water Quality Control Plan for Enclosed Bays and Estuaries – Part I Sediment Quality* (Plan) is now in full force and effect having received its final approval from the U.S. Environmental Protection Agency on August 25, 2009. The Plan establishes narrative sediment quality objectives (SQOs) for the protection of aquatic life and human health, identifies the beneficial uses those objectives are intended to protect, and establishes a program of implementation. The State Water Board is now in the second phase of SQO development to refine the benthic community protection indicators for estuarine waters, and to develop an improved approach to address sediment quality as it relates to human health risk concerns associated with consumption of fish tissue.

SQOs are an important component of the Water Board's regulatory framework because sediments in enclosed bays and estuaries are, with few exceptions, the most highly polluted sediments in the State. Historically, areas adjacent to bays and estuaries were the first heavily industrialized regions in the State; and, as a result, wastes have been discharged into bays either directly as point sources, indirectly as runoff, or accidentally through releases and spills for many years. Sediment carried down rivers and creeks also contributes to the contaminant loading into bays and estuaries. Many contaminants, such as metals and pesticides, readily attach to the sediments. Poor flushing and low current speeds allow the sediments and contaminants to settle out in the bays and estuaries before reaching the open ocean. Few states have attempted to develop SQOs due to the lack of ecologically relevant tools, difficulties interpreting and integrating the results, and an inability to establish causality. In 2003, the State Water Board initiated a program to development of SQOs for enclosed bays and estuaries for the protection of benthic communities and human health.

Additional information can be found at the State Water Board's website at:
http://www.waterboards.ca.gov/water_issues/programs/bptcp/sediment.shtml

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

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

October 14, 2009

APPENDED TO EXECUTIVE OFFICER REPORT

DATE OF REPORT
October 14, 2009

TENTATIVE SCHEDULE
SIGNIFICANT NPDES PERMITS, WDRS, AND ACTIONS OF THE SAN DIEGO RWQCB

Scheduled Board Meeting Date	Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
November 18, 2009 Regional Board Meeting San Diego Regional Water Board Office								
11/18/2009	Initial Hearing - 2008 Fed. Clean Water Act Sec. 303(D) List Of Water Quality Segments (<i>David Gibson</i>)	Hearing: CWA 303(d) WQ List	NA	NA	100%	50%	No	Finalizing the decisions and drafting staff report underway. Planning on July 1 release for public review and comments.
11/18/2009	NPDES Permit Rescissions-- Frank J. Konyon Dairy, Van Ommerring Dairy, Tom Van Tol Dairy, (<i>Michelle Mata</i>)	NPDES Permit Rescission	0%	0%	100%	50%	No	
11/18/2009	Adoption - Orange County Municipal Storm Water Permit (<i>Ben Neill / James Smith</i>)	Adoption: NPDES Permit Reissuance	0%	0%	0%	0%	No	
11/18/2009	Water Recycling Workshop (<i>Bob Morris</i>)	Information Item	NA	NA	NA	NA	No	
11/18/2009	NPDES General De Minimis Discharges Permit - San Diego Region (<i>Michelle Mata</i>)	NPDES Permit Adoption	NA	0%	0%	0%	No	
11/18/2009	Administrative Civil Liability against City of Laguna Beach, Bluebird Lift Station Sewage Spill to Pacific Ocean (<i>Rebecca Stewart</i>)	ACL Order	75%	NA	75%	50%	yes	ACL Complaint issued August 18, 2009 with recommended \$70,680 liability.

DATE OF REPORT
October 14, 2009

TENTATIVE SCHEDULE
SIGNIFICANT NPDES PERMITS, WDRS, AND ACTIONS OF THE SAN DIEGO RWQCB

Scheduled Board Meeting Date	Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
11/18/2009	Administrative Civil Liability against City of San Diego, 381,185 gallons of untreated sewage sanitary sewer overflow into Lake Hodges (<i>Joann Cofrancesco</i>)	ACL Order	50%	NA	40%	20%	No	ACL Complaint issued July 22, 2009 with recommended \$620,278 in administrative civil liability.
11/18/2009	Clean Water Act 401 Certification Workshop (<i>Chiara Clemente</i>)	Information Item	0%	NA	NA	NA	Yes	
December 16, 2009 Regional Board Meeting San Diego Regional Water Board Office								
12/16/2009	US Navy - Naval Base Pt. Loma - San Diego Bay (<i>Vicente Rodriguez</i>)	NPDES Permit Reissuance	100%	90%	80%	0%	No	NPDES Workplan FY 2007-08
12/16/2009	Sweetwater Authority Groundwater Demineralization (<i>Michelle Mata</i>)	NPDES Permit Reissuance	0%	80%	0%	0%	No	
12/16/2009	NPDES General Permit Hydrostatic Testing and Potable Water Discharge (<i>Michelle Mata</i>)	NPDES Permit Reissuance	NA	100%	80%	0%	No	NPDES Workplan FY 2006-07
12/16/2009	NPDES General De Minimis Discharges Permit - San Diego Region (<i>Michelle Mata</i>)	NPDES Permit Adoption	NA	0%	0%	0%	No	

DATE OF REPORT
October 14, 2009

TENTATIVE SCHEDULE
SIGNIFICANT NPDES PERMITS, WDRS, AND ACTIONS OF THE SAN DIEGO RWQCCB

Scheduled Board Meeting Date	Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
12/16/2009	Carlsbad Energy Center, LLS Power, Agua Hedionda Lagoon Seawater Intake and Brine Discharge To Pacific Ocean (<i>Michelle Mafa</i>)	NPDES Permit New	90%	80%	50%	0%	No	Proposed use of existing Encina Power Station Intake structure
12/16/2009	US Navy--Naval Base San Diego (Including Graving Dock) - San Diego Bay (<i>Vicente Rodriguez</i>)	NPDES Permit Reissuance	90%	90%	80%	0%	No	NPDES Workplan FY 2007-08
12/16/2009	Hubbs Research Facility Carlsbad - Agua Hedionda Lagoon (<i>Joanne Cofrancesco</i>)	NPDES Permit Reissuance	100%	80%	80%	50%	No	Pending receipt of information from Hubbs Res.
12/16/2009	Adoption Hearing - 2008 Fed. Clean Water Act Sec. 303(D) List of Water Quality Segments (<i>Alan Montji</i>)	Adoption: CWA 303(d) WQ List	0%	0%	0%	0%	No	
12/16/2009	Adoption Hearing - Tecolote Creek Bacti TMDL (<i>Amy Mecklenborg / Benjamin Tobler / Wayne Chiu</i>)	Hearing: TMDL Basin Plan Amendment	100%	100%	100%	0%	No	Combined with Bacti I, both set for June 15th public release for review and comments.
12/16/2009	Readoption Hearing - Revised Bacteria Impaired Waters TMDL Project I For Beaches And Creeks (<i>Wayne Chiu / Benjamin Tobler / Amy Mecklenborg</i>)	Hearing: TMDL Basin Plan Amendment	100%	100%	100%	0%	No	Revise TMDL for Bacti Indicators using Exceedance Days Approach. TMDL withdrawn by Regional Board in December 2008. Combined with Tecolote Bacti project; scheduled for public release June 15th.

DATE OF REPORT
October 14, 2009

TENTATIVE SCHEDULE
SIGNIFICANT NPDES PERMITS, WDRS, AND ACTIONS OF THE SAN DIEGO RWQCCB

Scheduled Board Meeting Date	Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
12/16/2009	Administrative Civil Liability against Minshew Brothers Steel Construction, Inc. (Rebecca Stewart)	ACL Order	100%	NA	50%	50%	No	ACL Complaint issued for \$67,200 in mandatory and discretionary liability proposed for failure to submit two annual industrial storm water reports
12/16/2009	Update of Receiving Water Monitoring Programs--Mid to Small POTWs (Bruce Posthumus)	Information Item	0%	0%	0%	0%	Yes	
February 10, 2010 Regional Board Meeting San Diego Regional Water Board Office								
2/10/2010	Initial Hearing -Riverside County MS4 Permit (James Smith)	NPDES Permit Reissuance	0%	0%	0%	0%	No	
2/10/2010	UCSD Scripps (Brian Kelley)	NPDES Permit Reissuance	0%	0%	0%	0%	No	Stormwater ASBS Issue
March 10, 2010 Regional Board Meeting San Diego Regional Water Board Office								

DATE OF REPORT
October 14, 2009

TENTATIVE SCHEDULE
SIGNIFICANT NPDES PERMITS, WDRS, AND ACTIONS OF THE SAN DIEGO RWQCB

Scheduled Board Meeting Date	Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
3/10/2010	USMC Las Pulgas Landfill (Amy Grove)	WDRs Revision	100%	50%	20%	0%	Yes	Construction of new phase.
3/10/2010	Proposed Gregory Canyon Landfill - North San Diego County (Carol Tamaki / Bob Morris)	Hearing: New WDRs	100%	100%	100%	95%	No	Postponed indefinitely pending outcome of CEQA issue.
3/10/2010	Mountain Water Ice (Brian Kelley)	NPDES Permit Reissuance	0%	0%	0%	0%	No	Discharge may be terminated
April 14, 2010 Regional Board Meeting San Diego Regional Water Board Office								
4/14/2010	Initial Hearing - 2008 Basin Plan Triennial Review (Deborah Woodward)	Hearing: Basin Plan Triennial Review	NA	0%	0%	0%	No	
4/14/2010	Sea World - Mission Bay (Brian Kelley)	NPDES Permit Reissuance	0%	0%	0%	0%	No	

DATE OF REPORT
October 14, 2009

TENTATIVE SCHEDULE
SIGNIFICANT NPDES PERMITS, WDRS, AND ACTIONS OF THE SAN DIEGO RWQCB

Scheduled Board Meeting Date	Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
<p>May 12, 2010 Regional Board Meeting San Diego Regional Water Board Office</p>								
<p>June 8, 2010 Regional Board Meeting San Diego Regional Water Board Office</p>								
6/8/2010	Adoption -2008 Basin Plan Triennial Reivew (<i>Deborah Woodward</i>)	Adoption - Basin Plan Triennial Review	0%	0%	0%	0%	No	
6/8/2010	San Elijo JPA Ocean Outfall (<i>Brian Kelley</i>)	NPDES Permit Reissuance	0%	0%	0%	0%	No	
6/8/2010	City of Escondido Ocean Outfall (<i>Brian Kelley</i>)	NPDES Permit Reissuance	0%	0%	0%	0%	No	



Linda S. Adams
Secretary for
Environmental Protection

30A

State Water Resources Control Board

Executive Office

Charles R. Hoppin, Chairman
1001 I Street • Sacramento, California 95814 • (916) 341-5603
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
Fax (916) 341-5621 • <http://www.waterboards.ca.gov>



Arnold Schwarzenegger
Governor

TO: Regional Water Board Executive Officers

FROM: 
Dorothy Rice, Executive Director
EXECUTIVE OFFICE

DATE: AUG 28 2009 Sent via email

SUBJECT: ROLE OF REGIONAL WATER BOARDS IN IMPLEMENTATION OF
RECYCLED WATER POLICY

The purpose of this memorandum is to inform the Regional Water Boards of your role in implementing the Recycled Water Policy (State Water Board Resolution No. 2009-0011) (Policy), which was adopted on February 3, 2009 and became effective on May 14, 2009. As you know, recycled water can play an important role in decreasing our state's vulnerability to drought and in reducing our contribution to greenhouse gases. Therefore, the goal of the Policy is to increase the use of recycled water while protecting water quality. The specific actions for Regional Water Board implementation are described below and in Attachment A.

Initiate and Participate in Stakeholder Process for Development of Salt/Nutrient Management Plans

The Policy states that the State Water Board recognizes, pursuant to the letter from various stakeholder groups dated December 19, 2008 and attached to the Resolution adopting this Policy, that local water and wastewater entities, together with salt/nutrient contributing stakeholders, will fund locally driven and controlled collaborative processes open to all stakeholders to prepare salt/nutrient management plans (plans) for each groundwater basin/sub-basin in California. The plans development processes must include compliance with the California Environmental Quality Act (CEQA) and participation by Regional Water Boards' staff.

The Policy requires stakeholders to submit these plans to the appropriate Regional Water Board within five years from the effective date of the Policy. Hence, they are due by May 14, 2014, although the Policy allows the Regional Water Boards to provide a two-year extension (until May 14, 2016) if the stakeholders demonstrate substantial progress toward completion of a plan. The Policy requires Regional Water Boards to review the plans and consider each for adoption as a basin plan amendment within one year of submittal. In an effort to facilitate statewide consistency in basin plan amendments with regards to salt/nutrient management plans, State Water Board staff will prepare an outline of appropriate basin plan amendment content. The intent of the outline is to inform the Regional Water Boards and stakeholders of the minimum elements necessary for a basin plan amendment and, therefore, the minimum

content expected for a salt/nutrient management plan. The State Water Board will provide the outline to the Regional Water Boards by November 2009.

The Policy requires the development of salt/nutrient management plans for all groundwater basins in California regardless of whether recycled water is currently being used within the basin. However, the requirement does not apply to a groundwater basin/sub-basin where a plan has already been approved by the Regional Water Board. Descriptions and maps of California's groundwater basins/sub-basins can be found in Department of Water Resources (DWR) Bulletin 118, http://www.water.ca.gov/groundwater/bulletin118/gwbasin_maps_descriptions.cfm.

Division of Water Quality (DWQ) staff discussed salt/nutrient management plans with the Assistant Executive Officers (AEOs) at their meeting on July 9, 2009. At the meeting, DWQ staff recommended that, because this is a statewide effort that impacts multiple Water Board programs, it should be the AEOs who take the lead with these plans. Although the Policy requires stakeholders to develop the plans, I expect that the Regional Water Boards will take a leadership role to ensure the stakeholders complete the process in a timely manner, similarly as was developed with the Central Valley Regional Water Board's collaborative basin planning effort of Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS). Therefore, to initiate this process, I am requesting that each Regional Water Board's Executive Officer send stakeholders a letter that notifies them of the Policy requirements and invites them to a Regional Water Board workshop. If you would like, staff from the State Water Board would be happy to attend, time permitting. A sample invitation letter is attached (Attachment B). The purpose of the workshop would be to inform the stakeholders of the planning requirement and to get commitments from the stakeholders to develop the plans.

Each plan's complexity will be dependent on a variety of site-specific factors including, but not limited to, size and complexity of the basin, source water quality, storm water recharge, hydrogeology, and aquifer water quality. I recognize that this is a large task and that plan development may have to be prioritized. Therefore, I recommend that priority be given to those basins identified as priority basins by the Groundwater Ambient Monitoring Assessment (GAMA) program, http://www.waterboards.ca.gov/water_issues/programs/gama/priority_basin_projects.shtml.

GAMA Priority Basins consist of 116 of the 472 DWR defined groundwater basins in the state. GAMA Priority Basins are defined as groundwater basins that account for:

- 95 percent of all public supply wells
- 99 percent of all municipal groundwater pumping
- 90 percent of agricultural groundwater withdrawals
- 90 percent of all leaking underground storage tank sites
- 90 percent of all pesticide application in the state
- 60 percent of the land area in California

The total number of GAMA Priority Basins/sub-basins in each region is presented below; the number does not reflect basins/sub-basins with approved salt/nutrient management plans.

Region	Number of Priority Basins/Sub-Basins
Region 1	6*
Region 2	12
Region 3	14
Region 4	11
Region 5 (Redding)	11*
Region 5 (Sacramento)	18*
Region 5 (Fresno)	8*
Region 6 (Lake Tahoe)	6*
Region 6 (Victorville)	8*
Region 7	7*
Region 8	10
Region 9	5

* = Includes areas designated outside of mapped groundwater basins and may cross region boundaries. Therefore, priority basin may be designated to one or more regions.

The GAMA Priority Basins, and corresponding basin numbers, in each region are listed in Attachment C.

Track and Report Development of Salt/Nutrient Management Plans

In order to ensure that the plans are being developed in a timely manner, State Water Board staff plan to track the development of the plans. Therefore, I request that the Regional Water Boards report, on a semi-annual basis, the status of salt/nutrient management plan development. To make this reporting streamlined and consistent, the State Water Board is modifying the GeoTracker database to track a uniform set of milestones for each plan developed. We expect the database modifications to be complete by November 2009. The milestones and proposed target dates for their completion are presented in Attachment D and are intended to establish a schedule that ensures the stakeholders meet the five year deadline.

Input Groundwater Data into GeoTracker

The Policy discusses basin/sub-basin groundwater monitoring in two sections. Section 6.b.(3)(a) discusses monitoring plans for implementation of salt/nutrient management plans. Section 7.b.(4) states that project-specific groundwater monitoring for projects eligible for permit streamlining is not required, provided the project proponent participates in the development of a salt/nutrient management plan, including basin/sub-basin groundwater monitoring. We request that any ambient groundwater monitoring data collected through this process be uploaded into the GeoTracker database. State Water Board staff will work with Regional Water Board staff and stakeholders to help them upload the data and in turn make GeoTracker data available to them.

Incorporate Incidental Runoff Provisions

Section 7(a) of the Policy contains provisions regarding incidental runoff of recycled water. This section contains four requirements for controlling and providing notification for incidental runoff of recycled water. Although the Policy does not require immediate revision of existing water reclamation or waste discharge requirements to include the incidental runoff provisions, any new or revised water reclamation requirements or waste discharge requirements for recycled water must be consistent with the incidental runoff requirements.

The Policy specifically exempts landscape irrigation projects from the requirement to obtain an NPDES permit for incidental runoff, if the incidental runoff provisions of the Policy are incorporated in a storm water permit such as the MS4 permit for the area.

Furthermore, given the need to conserve water as set out by the Governor's 20x2020 water conservation initiative, we urge you to consider applying these incidental runoff provisions to both recycled water and potable water supplies whenever you update Municipal Separate Storm Sewer System (MS4) permits.

Streamline Permitting of Eligible Recycled Water Irrigation Projects

The Policy has a section on streamlined permitting of recycled water landscape irrigation projects. Projects eligible for streamlined permitting include those that:

- Do not have unusual circumstances, such as unique, site-specific conditions, including high transmissivity soils over a shallow (5 feet or less) high quality groundwater aquifer. (If the Regional Water Board determines that unusual circumstances apply, it must make a finding of unusual circumstances based on substantial evidence in the record, after public notice and hearing.)
- Comply with the CCR Title 22 Water Recycling Criteria and any recommendations by the California Department of Public Health (CDPH) pursuant to Water Code section 13523.
- Apply recycled water in agronomic amounts. See Section 7.c.(2) for the details on how this requirement is to be implemented.
- Comply with any applicable salt/nutrient management plan adopted by the Regional Water Board.
- Use fertilizers appropriately and take into account the nutrient levels in recycled water. (Recycled water producers must monitor and communicate to users the nutrient levels in the recycled water.)

Projects meeting the criteria and eligible for enrollment under requirements of a general order must be enrolled by the State or Regional Water Board within 60 days from the date of which an application is deemed to be complete by the State or Regional Water Board.

For projects that are not enrolled in a general order, the Regional Water Board must consider adoption within 120 days from the date on which the Regional Water Board deems the application complete.

The Policy has monitoring provisions for projects eligible for streamlined permitting, including:

- No project-specific receiving water or groundwater monitoring, unless this monitoring is required by an adopted salt/nutrient management plan.
- While the salt/nutrient management plans are being developed, a project proponent may either perform project specific monitoring or actively participate in the development of a salt/nutrient management plan, including basin/sub-basin monitoring.
- Recycled water monitoring for priority pollutants twice a year.*
- Recycled water monitoring for constituents of emerging concern (CECs) once a year. Mandatory monitoring requirements for CECs will take effect no sooner than November 14, 2010, unless otherwise requested by CDPH. CEC monitoring requirements are to be based on the recommendations of the CEC Advisory Panel.*

Implement Groundwater Recharge Reuse Provisions

Section 8 of the Policy contains provisions for Groundwater Recharge Reuse Projects including monitoring for priority pollutants and CECs. These provisions must be followed when issuing waste discharge requirements for groundwater recharge reuse.

Implement Anti-degradation Provisions

Section 9 of the Policy contains provisions for implementing the State Water Board's Anti-degradation Policy, Resolution No. 68-16. The provisions apply to groundwater recharge reuse and the use of recycled water for landscape irrigation, and are to be used when issuing water reclamation or waste discharge requirements for these uses. The Policy presents alternatives for demonstrating compliance with the Anti-degradation Policy.

Water Recycling Mandates, Stormwater Reuse, and Total Maximum Daily Loads

The Policy establishes mandates to increase the use of recycled water by 200,000 acre-feet per year (afy) by 2020 and by an additional 300,000 afy by 2030. These mandates are to be achieved through the cooperation and collaboration of the State Water Board, Regional Water

* The monitoring may be conducted by either the producer or the distributor of the recycled water.

Boards, the environmental community, water purveyors, and the operators of publicly owned treatment works. Furthermore, development of permits with provisions that encourage the production and use of recycled water from municipal wastewater sources will be an essential component toward meeting these mandates.

The Policy states that the State and Regional Water Boards will exercise authority granted to them by the Legislature to the fullest extent possible to encourage the use of recycled water, consistent with state and federal water quality laws. Hence, each Regional Water Board should, within its authority, take actions to encourage the use of recycled water.

One method of encouragement required by the Policy is that waste load allocations for Total Maximum Daily Loads must be assigned as appropriate by the Regional Water Boards in a manner that provides an incentive for greater water recycling.

The Policy also established a goal of increasing the use of stormwater. To achieve this goal, the State Water Board encourages Regional Water Boards to require less stringent monitoring and regulatory requirements for stormwater treatment and use projects than for projects involving untreated storm water discharges.

I recognize that these are substantial tasks and appreciate in advance your efforts to increase the use of recycled water. In order to provide statewide coordination among the Water Boards for the salt/nutrient management plan effort, please send the name of the staff person who will manage this effort for your region to Ken Harris, Manager, Regulatory Section, (916) 341-5500 (kharris@waterboards.ca.gov) by September 15, 2009. If you have any questions regarding this matter, please contact me at (916) 341-5615 (dprice@waterboards.ca.gov) or Darrin Polhemus, Deputy Director, Division of Water Quality, at (916) 341-5458 (dpolhemus@waterboards.ca.gov).

Attachments (4)

cc: Regional Water Board Assistant Executive Officers
Jonathan Bishop, Exec
Tom Howard, Exec
Barbara Evoy, DFA
Darrin Polhemus, DWQ

July 2009 - Summary of Public Sanitary Sewer Overflows in Region 9													
Responsible Agency	Collection System	Total Number of SSO locations	Total Vol of SSOs (gal)	Total Vol Recover (gal)	Total Vol Reach Surface Water	Percent Recover	Percent Reach Surface Water	Miles Pressure Sewer	Miles Gravity Sewer	Miles of Laterals	Total Number of SSO locations per 100 miles of Sewer	Tot Vol of SSOs Reach Surface Water per 100 miles of Sewer	
Category 1 SSO													
AC/S Environmental Security, MCB Camp Pendleton	Usmc Base, Camp Pendleton CS	1	20	0	20	0	100	32	104	80	0.4	9.2	
Escondido City	Harrf Disch To San Elijo Oo CS	1	17,725	2,000	15,725	11	88	10.7	365	0	0.2	4,185.50	
Fallbrook Public Utility Dist	Fallbrook Plant 1, Oceanside of CS	1	300	50	250	16	83	4.6	76.6	0	1.2	307.8	
San Diego City	San Diego City CS	1	840	0	840	0	100	139	2,991.00	2,000.00	0	16.3	
San Diego County	County Of San Diego CS	1	50	0	0	0	0	4	371	0	0.2	0	
Santa Margarita WD	Santa Margarita Water District CS	1	900	900	0	100	0	12	525	165	0.1	0	
Category 2 SSO													
AC/S Environmental Security, MCB Camp Pendleton	Usmc Base, Camp Pendleton CS	1	200	20	n/a	10	n/a	32	104	80	0.4	n/a	
IMPERIAL BEACH, CITY OF	City Of Imperial Beach CS	1	5	5	n/a	100	n/a	4.4	39.5	0.2	2.2	n/a	
Laguna Beach City	City Of Laguna Beach CS	1	200	200	n/a	100	n/a	4.5	95	0	1	n/a	
San Diego City	San Diego City CS	1	179	0	n/a	0	n/a	139	2,991.00	2,000.00	0	n/a	
TOTALS		10	20419	3175	16835			382.2	7662.1	4325.2			

August 2009 - Summary of Public Sanitary Sewer Overflows in Region 9

Responsible Agency	Collection System	Total Number of SSO locations	Total Vol of SSOs (gal)	Total Vol Recover (gal)	Total Vol Reach Surface Water	Percent Recover	Percent Reach Surface Water	Miles Pressure Sewer	Miles Gravity Sewer	Miles of Laterals	Total Number of SSO locations per 100 miles of Sewer	Tot Vol of SSOs Reach Surface Water per 100 miles of Sewer
Category 1 SSO												
Fallbrook Public Utility Dist	Fallbrook Plant 1, Oceanside of CS	1	4,000	0	4,000	0	100	4.6	76.6	0	1.2	4,926.10
San Diego City	San Diego City CS	1	3,300	3,000	300	90	9	139	2,991.00	2,000.00	0	5.8
Category 2 SSO												
Leucadia Wastewater District	Leucadia Wastewater District CS	1	5	5	n/a	100	n/a	11.4	191	0	0.4	n/a
San Diego City	San Diego City CS	1	208	0	n/a	0	n/a	139	2,991.00	2,000.00	0	n/a
UC San Diego	University Of California, San Diego CS	1	100	0	n/a	0	n/a	2	25	3	3.3	n/a
TOTALS		5	7613	3005	4300			296	6274.6	4003		

July and August 2009 - Summary of Private Lateral Sewage Discharges in Region 9										
Reporting Agency	Collection System	Total Number of PLSD locations	Total Vol of PLSDs (gal)	Total Vol Recover (gal)	Total Vol Reach Surface Water	Percent Recover	Percent Reach Surface Water	Miles Private Lateral	Total Number of PLSD locations per 100 miles of Sewer	Tot Vol of PLSDs Reach Surface Water per 100 miles of Sewer
Category 1 PLSD										
Escondido City	Harrf Disch To San Elijo Oo CS	2	50	50	20	100	40	83.2	2.4	24
Fallbrook Public Utility Dist	Fallbrook Plant 1, Oceanside of CS	1	29	27	2	93	6	18	5.5	11.1
Laguna Beach City	City Of Laguna Beach CS	1	2	2	0	100	0	102	0.9	0
Oceanside PWD	La Salina WWTP, Oceanside Ofll CS	3	3,400	120	3,280	3	96	195	1.5	1,682.00
San Clemente City	City Of San Clemente CS	1	100	0	100	0	100	0	0	0
San Diego City	San Diego City CS	3	3,948	300	3,588	7	90	4,049.00	0.1	175.1
Vista City	City Of Vista CS	2	300	300	50	100	16	151.5	1.3	33
Category 2 PLSD										
CARLSBAD MWD	Carlsbad MWD CS	1	75	75	0	100	0	124	0.8	0
Chula Vista City	City Of Chula Vista CS	1	20	20	0	100	0	0	0	0
EL CAJON, CITY OF	City Of El Cajon CS	3	44	4	0	9	0	189	1.5	0.00
Escondido City	Harrf Disch To San Elijo Oo CS	2	40	40	0	100	0	83.2	2.4	0
Laguna Beach City	City Of Laguna Beach CS	3	62	57	0	91	0	102	2.9	0
Oceanside PWD	La Salina WWTP, Oceanside Ofll CS	1	50	0	0	0	0	195	0.5	0
San Diego City	San Diego City CS	10	4,092	3,972	0	97	0	4,049.00	0.4	0
San Diego County	County Of San Diego CS	1	50	0	0	0	0	0	0	0
San Juan Capistrano City	City Of San Juan Capistrano CS	2	65	65	0	100	0	50	4	0
South Coast Water District	South Coast Water District CS	1	27	27	0	100	0	150	0.6	0
Vallecitos Water District	Meadowlark CS	1	800	800	0	100	0	265	0.3	0
Vista City	City Of Vista CS	1	25	25	0	100	0	151.5	0.6	0
TOTAL		40	13179	5884	7040			9957.4		