

California Regional Water Quality Control Board
San Diego Region

David Gibson, Executive Officer



Executive Officer's Report
June 9, 2021

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The June report for the Tentative Schedule of Significant NPDES Permits, WDRs, and Actions; Agenda Items Requested by Board Members; and the attachments noted above are included at the end of this report.

Part A – San Diego Region Staff Activities

1. Personnel Report

Staff Contact: Dulce Romero

An updated San Diego Water Board staff list can be viewed at:

https://www.waterboards.ca.gov/sandiego/board_info/agendas/2021/jun/stafflist_june2021.pdf.

Retirement

After 20 years of State service, Sophie di Campalto, a Water Resources Control Engineer in the Site Restoration Military Facilities Unit (SRMFU), will retire on June 30, 2021. Sophie has worked in many programs in the office, including storm water, TMDLs, and SRMFU cleanups. Sophie's project management of Military Underground Storage Tank Cleanup cases since 2013 has led to cleanup and closure of over one hundred leaking underground tank sites and the restoration of the beneficial uses of groundwater at several Military bases. Sophie is looking forward to a lot of hiking, travel, and has even started writing a book.

Recruitment

We are currently recruiting for six positions, including Water Resources Control Engineers in the Source Control Regulation Unit and the Site Restoration & Agricultural Program Unit; one Environmental Scientist in the Wetland and Riparian Protection Unit; one Engineering Geologist in the Groundwater Protection Unit; one Scientific Aid position in the Stormwater Management Unit, and one Student Assistant position (Engineering and Architectural Sciences) in the Groundwater Protection Unit.

Information regarding our vacancies is located on the following CalCareers and San Diego Water Board websites:

<https://calcareers.ca.gov/CalHRPublic/Search/AdvancedJobSearch.aspx>.

https://www.waterboards.ca.gov/sandiego/about_us/employment/.

2. San Diego Water Board Staff Attend 30th Annual AEHS Conference

Staff Contacts: Dan Boyd and Lara Quetin

In March 2021, San Diego Water Board staff attended the [30th annual International Conference on Soil, Water, Energy, and Air](#) hosted by the [Association for Environmental Health and Sciences](#) (AEHS). The West Coast AEHS Conference is typically held in San Diego every March. This year, the four-day virtual conference featured 200 presenters, 40 exhibitors, 25 platform sessions, and eight technical sessions. Almost 1,000 people attended the event, which included professionals from the private and public sectors and academia with backgrounds in engineering geology, hydrogeology, environmental science, environmental engineering, and toxicology.

Session presentations focused on a variety of environmental subjects. This year however, AEHS emphasized subsurface vapor intrusion to indoor air and per- and polyfluoroalkyl substances (PFAS) topics. These key issues were presented in introductory-level sessions and in advanced in-depth sessions on each day of the event.

Vapor Intrusion Attenuation Factor

Board staff attended these presentations and noted that several vapor intrusion talks included discussions about the challenges faced by the regulated community. The regulated community's main concern is the applicability of the subsurface-to-indoor-air attenuation factor (AF) of 0.03, which is recommended by the U.S. Environmental Protection Agency¹ (EPA) for use in indoor air screening-level risk assessments. The AF is the ratio between the indoor air concentration for a given vapor-forming chemical and its subsurface concentration. The greater the concentration reduction, the smaller the AF. The Department of Toxic Substances Control (DTSC), the San Francisco Bay Regional Water Quality Control Board, and the State Water Resources Control Board (collectively the Workgroup) included the AF value of 0.03 in the draft 2020 Supplemental Vapor Intrusion Guidance.² The regulated community's arguments against the applicability of the 0.03 AF is that the dataset used to derive this attenuation factor included very few commercial properties and/or did not contain enough sampling locations in California to be representative of sites at risk of vapor intrusion in California. The 0.03 AF is similar to the existing DTSC Vapor Intrusion Guidance³ sub-slab AF of 0.05 but is more conservative than the existing deeper soil vapor AF range of 0.0005 to 0.002. This means that indoor air concentrations predicted using the 0.03 AF, which applies to both sub-slab and deeper soil vapor data, are more likely to lead to additional investigation and mitigation than previously encountered. The Workgroup is currently reviewing comments submitted on the draft 2020 Supplemental Vapor Intrusion Guidance document during the public comment period. It is anticipated that the revised Supplemental Vapor Intrusion Guidance will be finalized in 2021.

Per- and Polyfluoroalkyl Substances

The PFAS presentations covered everything from fundamental knowledge to remedial strategies and analytical approaches to risk assessment. Although PFAS have existed since the 1930s, they have only been regulated in California since 2012. To catch up with this delay, presenters highlighted the need to regulate PFAS as a class of chemicals instead of as individual compounds. They also presented information on advanced technologies that focus on "stopping" the spread of PFAS contamination at a site by using permeable reactive barriers equipped with ion-exchange resins, granulated activated carbon, or other novel adsorbents. During the recent [April Board Meeting](#), the San Diego Water Board and public learned about the Orange County Water District's PFAS pilot program that tested these technologies to remove PFAS from some of the public water supply wells in this region. Why focus on stopping PFAS dispersion instead of destroying these compounds? The answer is because research on a

¹ EPA – Office of Solid Waste and Emergency Response. 2015. OSWER Technical Guide for Assessing and Mitigating the Vapor Intrusion Pathway from Subsurface Vapor Sources to Indoor Air. Available at <https://www.epa.gov/sites/production/files/2015-09/documents/oswer-vapor-intrusion-technical-guide-final.pdf>. June.

² Cal/EPA, DTSC, California Water Boards. 2020. Supplemental Guidance: Screening and Evaluating Vapor Intrusion, Draft for Public Comments. Available at https://dtsc.ca.gov/wp-content/uploads/sites/31/2020/02/Public-Draft-Supplemental-VI-Guidance_2020-02-14.pdf. February.

³ DTSC. 2011. Final Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air. October.

technology that destroys PFAS and that is readily available, cost-effective, and produces little to no hazardous residuals or byproducts is ongoing and is not yet readily available for widespread application.

Other Cleanup Discussions

Other topics staff found interesting included environmental forensics and security, the technological advancements in 3D visualization of environmental data, and presentations by a nonprofit organization called the Sustainable Remediation Forum ([SURF](#)). SURF promotes the implementation of EPA's "[Greener Cleanups](#)" approach to cleaning up contaminated sites. According to EPA, sustainability is achievable at every phase of a site cleanup project, from early-stage investigations to late-stage remediation. This approach, however, is not intended to trade cleanup program objectives for other environmental objectives. Successful green cleanup practices can help achieve cleanup objectives while decreasing the environmental footprint of the cleanup activity itself. Some examples include using equipment that emits less particulate matter to the air; sizing equipment accurately to avoid wasted energy, water, and material; and using renewable energy or recycled materials to decrease greenhouse gas emissions and conserve resources.

Despite the inherent challenges of transitioning from an in-person event to a virtual event, staff found the conference's virtual platform to be easily navigated, convenient, and effective, so a special thank you is due to the AEHS Foundation organizers. Attendees were able to communicate with the presenters via chat messaging during and after the sessions, participate in workshops, and join discussions at the virtual social gatherings. Because the entire conference was recorded, attendees have the added benefit of watching any missed sessions at their convenience for several weeks following the end of the conference. Staff hopes that when future conferences return to the traditional in-person venue, AEHS will continue to provide session recordings for convenient post-event viewing. The annual West Coast AEHS Conference continues to be an important resource for San Diego Water Board staff to learn about the current state of practice in the areas of environmental assessment and remediation. San Diego Water Board staff will continue efforts to attend future annual West Coast AEHS Conferences and provide summary updates to the Board.

3. Border Water Quality Efforts (*Attachment A-3*)

Staff Contact: David Gibson

The United States EPA (USEPA) conducted an Eligible Public Entities Coordination Group (EPECG) Meeting on May 19, 2021.⁴ In preparation for the meeting and in response to our request in March to meet, USEPA Acting Regional Administrator Deborah Jordon met with me and representatives of the Cities of San Diego, Imperial Beach, and Chula Vista, the Port of San Diego, and the County of San Diego. Administrator Jordon and staff were responsive to our concerns for priority projects to include a U.S.-side river diversion and treatment facility alternative coupled with increased U.S. treatment of sewage currently discharged untreated from San Antonio de los Buenos. The USEPA will identify a set of preferred project alternatives in late

⁴ Summary: <https://www.epa.gov/sustainable-water-infrastructure/usmca-tijuana-river-watershed>; presentations: <https://www.epa.gov/sustainable-water-infrastructure/tijuana-river-watershed-stakeholder-engagement>.

July or early August 2021. The EPECG and public meetings were attended by staff from the Congressional Representatives with Districts in the San Diego Region and from the offices of Senator Feinstein and Senator Padilla. The USEPA also held a public meeting on the United States-Mexico-Canada Agreement (USMCA) process and projects on May 24, 2021.

On May 27, 2021, I represented the Water Board at the Meeting of the California State Coastal Conservancy. I addressed the Coastal Conservancy in support of the County of San Diego's Smuggler's Gulch Improvement Project.⁵ The Conservancy Board of Directors unanimously approved the \$10 million Prop. 68 Grant proposal to design and build a sediment and trash control basin in that canyon. The project is expected to be completed in June 2024. It will be a critical management measure that complements efforts in Matadero Cañon in Tijuana to protect the water quality and beneficial uses in the Tijuana River Valley from sedimentation and solid waste flows. Water Board staff will immediately begin working with the County and City of San Diego on design alternatives and permitting for the project.

On Friday May 28, 2021, on behalf of the Water Board, I joined the Cities of San Diego, Imperial Beach, Chula Vista, the Port of San Diego, and the County of San Diego in a joint invitation to Vice President Kamala Harris to visit the Tijuana River Valley and tour border water quality infrastructure, see the public health and environmental crisis in the Tijuana River Valley and neighboring communities firsthand and confer with local elected officials on the long term needs for a comprehensive, binational solution (Attachment A-3c).

Part B – Significant Regional Water Quality Issues

1. Update on the Reissuance of the Regional MS4 Permit

Staff Contact: Mireille Garcia

The San Diego Water Board regulates discharges from municipal separate storm sewer systems (MS4s) in the San Diego region under Order No. R9-2013-0001, as amended by Order Nos. R9-2015-0001 and R9-2015-0100, NPDES No. CAS0109266, *National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds within the San Diego Region* (Order). The Order, also known as the Regional MS4 Permit, was adopted by the San Diego Water Board on June 27, 2013, for a five-year term. The Regional MS4 Permit expired on June 27, 2018, but automatically remains in effect until it is superseded by a reissued NPDES permit.

The Regional MS4 Permit covers stormwater discharges from portions of the region in San Diego County, southern Orange County, and southwestern Riverside County, and regulates 39 municipalities that own and operate MS4s (Copermittees) that discharge stormwater runoff and non-stormwater runoff to surface waters throughout the San Diego region. The San Diego Water Board began work to reissue the Regional MS4 Permit in early 2019. Initial work included making format changes to comply with the

⁵ [Coastal Conservancy Public Zoom Meeting – May 27, 2021 – California State Coastal Conservancy.](#)

American Disability Act (ADA) and removal of requirements applicable to the transitional watershed plan development period. Reissuance of the Regional MS4 Permit will incorporate new standards and requirements related to adopted Total Maximum Daily Load (TMDL) alternative actions and implementation of updated provisions of water quality control plans and policies. The Regional MS4 Permit reissuance will also include updates to monitoring and reporting requirements and new provisions to address discharges of trash.

Delays in the progress to reissue the Regional MS4 Permit have resulted from several other competing stormwater program responsibilities and priorities. Provision B of the Regional MS4 Permit requires the Copermittees, in each of the region's ten Watershed Management Areas (WMAs) to develop a Water Quality Improvement Plan (WQIP). Each WQIP identifies high priority water quality conditions and strategies to improve water quality within each WMA. The Copermittees submit annual reports for each WMA WQIP that explain strategies the Copermittees are implementing to progressively improve water quality. In 2019, the San Diego Water Board notified the Copermittees in six of the ten WMAs, that updates to the WQIPs were necessary. Updates to a WQIP require significant Board staff resources to process because each update is tied to a high priority water quality condition. In addition, the WQIP updates are processed and finalized in a transparent public review process. Of the six WQIPs identified for update, three were due in 2021 for the Carlsbad, Santa Margarita River, and San Dieguito WMAs. Three more WQIP updates are due in 2022 for the San Luis Rey River, Los Peñasquitos, and Tijuana River WMAs. The staggered WQIP updates required significant time from Board staff in 2020 and 2021 to participate in each WQIP update with the Copermittees and the public. Although the Regional MS4 Permit reissuance has experienced delays due to time spent processing WQIP updates, lessons learned from the extensive WQIP reviews in 2019, 2020, and 2021 will inform the reissuance of the Regional MS4 Permit. Other pressing stormwater program priorities addressed by Board staff from 2019 to 2021 include:

- Development and issuance of the San Diego River Investigative Order and associated ongoing progress report reviews;
- Development and evaluation of a tentative Time Schedule Order to address ongoing Copermittee non-compliance with the final Dry Weather Bacteria TMDL due date;
- Continued investigation of ongoing complaints from the public regarding the breaching of the sand bar berm at the mouth of Aliso Creek in Orange County; and
- Providing technical support for pending enforcement matters pertaining to administrative civil liability orders for General Construction Stormwater Permit noncompliance.

For the month of April and May 2021, Board staff completed review of all ten 2019-20 WMA WQIP annual reports due January 30, 2021, and met with the U.S. Environmental Protection Agency staff to discuss possible inclusion of the Integrated Planning Framework into the pending Regional MS4 Permit reissuance. Board staff will continue to work towards reissuance of the Regional MS4 Permit in coordination with the Copermittees and interested stakeholders and will update the Board as appropriate.

2. Cannabis Cultivation Program Update

Staff Contacts: Eric Lindberg and Amy Grove

The South Coast Cannabis Unit (Cannabis Unit) serves the San Diego, Santa Ana, and Los Angeles Regional Water Boards. The mission of the Cannabis Unit is to implement the Water Boards' Cannabis Cultivation Program (Program) by enrolling and regulating licensed cannabis cultivation operations, and by preparing enforcement actions against noncompliant and/or illicit cannabis cultivations. This report provides an update on implementation of the Program and summarizes the activities of the Cannabis Unit in the San Diego Region since December 18, 2017.

Background

The State Water Board adopted the Cannabis Cultivation Policy, *Principles and Guidelines for Cannabis Cultivation*⁶ in 2017 and amended the Cannabis Policy in 2019. The Cannabis Policy establishes requirements for the diversion and use of water, land disturbances, and discharges of waste related to cannabis cultivation operations. The requirements are intended to minimize the harmful effects of cannabis cultivation activities on fisheries, wildlife and water quality; maintain healthy riparian corridors; and to protect springs, wetlands, and aquatic habitats.

Statewide Program Changes

In March 2020, normal workflow was impacted by the COVID-19 pandemic and, in compliance with guidance from the State Water Board, Cannabis Unit staff began teleworking and limiting in-field inspections.

In July 2020, statewide program budget shortfalls resulted in an approximate 50% reduction of Program staff, statewide. The Cannabis Unit was reduced more than the 50% statewide average, from seven total staff positions, five of which were filled, down to two total staff positions. Three staff from the Cannabis Unit were permanently redirected to other programs in the Santa Ana Water Board.

In December 2020, the Water Board's Cannabis Cultivation Program, Executive Oversight Committee produced the *Summary Report and Recommendations to Improve Statewide Program Performance* (Report) document in response to the Programs' reduction in staff. The Report provided several recommendations, at both the state and regional level, to reduce Program scope and prioritize efforts to increase enrollment and address adverse water quality and water supply impacts from illegal cultivation through enforcement.

Enrollment

As summarized in the table to the right, the Cannabis Unit received applications for coverage under the statewide General Order WQ 2019-0001-DWQ, *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*

Region	Active Applications	NOAs Issued	Withdrawn or Terminated
San Diego	32	29	6
Santa Ana	57	54	8
Los Angeles	540	524	60
Total	629	607	74

⁶https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf

(General Order) from 629 commercial cannabis cultivators in the San Diego, Santa Ana, and Los Angeles Regions. Notices of Applicability (NOAs) serve as proof of enrollment and coverage under Waste Discharge Requirements (WDRs) or a Waiver of WDRs. The Cannabis Unit issued NOAs to 607 of those cannabis cultivators in the three regions. NOAs for the remaining applicants are pending payment, review, and approval.

- *San Diego Region:* 32 of the 629 active or soon-to-be active commercial cannabis cultivators are primarily located in San Diego, La Mesa, and Oceanside. All but one of the enrollees are indoor cultivations issued Waivers of WDRs. San Diego County, at this time, does not allow cannabis cultivation in the unincorporated areas of the County. However, in January 2021, the San Diego County Board of Supervisors began the process to amend the County Zoning Ordinance to allow for cannabis cultivation, among other cannabis related uses, and develop a new Cannabis Permitting Program for unincorporated San Diego County. Over the coming months a draft of new ordinances and regulations will be presented for consideration.
- *Santa Ana Region:* 57 of the 629 active or soon-to-be active commercial cannabis cultivators are dominantly located in Santa Ana, Perris, or Lake Elsinore. All but four of the enrollees in the Santa Ana Region are indoor cultivations issued Waivers of WDRs. In the Santa Ana Region, the limiting factor for the number of enrollments is a lack of cultivation permits issued by local governments, and the outright prohibition of commercial cultivation within many local communities.
- *Los Angeles Region:* 540 of the 629 active or soon-to-be active commercial cannabis cultivators are located in Los Angeles and Long Beach. The disproportionate number of cultivators in the Los Angeles Region is directly attributable to the large number of indoor cultivation permits issued by the cities of Los Angeles and Long Beach, among others. In the November 2020 General Election, voters in Ventura County passed ordinance Measure O. Measure O allows for commercial cultivation, processing, distribution, and sale of cannabis in pre-existing structures within unincorporated Ventura County. Measure O will allow for up to 500 acres for general cannabis cultivation and 100 acres for nursery cultivation within unincorporated Ventura County. The pre-existing structure requirement includes greenhouses that are classified as "outdoor" cultivations by the definitions in the Water Boards' Cannabis Cultivation Policy. As a result of Measure O, the South Coast Cannabis Unit has received six applications in Ventura County and has so far, issued two NOAs with Waste Discharge Requirements in the Los Angeles Region. More applications and NOAs are expected during the upcoming year.

Many cities and counties in southern California continue to prohibit the commercial cultivation of cannabis. However, Cannabis Unit staff expect enrollments to increase steadily over time as jurisdictions with existing ordinances continue to issue permits, and as other jurisdictions draft their own cultivation ordinances and regulations, as we saw in Ventura and San Diego Counties this year.

Cannabis Unit staff regularly participate in public outreach events, give presentations at industry group meetings and conferences, and give presentations at local government meetings and regulatory conferences, in cooperation with other licensing and permitting

agencies such as California Department of Food and Agriculture and the California Department of Fish and Wildlife.

Compliance

As part of the recommendations in the Report to reduce Program scope, the Cannabis Unit was directed to de-prioritize enforcement of permitted cultivations and de-prioritize compliance assessment and inspection of enrolled sites. From January 2020 through March 2020, prior to COVID-19 impacts to workflow, staff reductions, and the Executive Oversight Committee's recommendations, Cannabis Unit staff conducted 19 compliance inspections all within the Los Angeles Region. All violations noted by staff during these inspections were corrected voluntarily by dischargers and no formal civil administrative enforcement actions for non-compliance have been started.

No compliance assessment inspections have been conducted since March 2020. None are planned through at least January 2022, when the Program will reassess performance metrics and determine if changes are necessary.

Enforcement

Unauthorized discharge of waste and diversion of surface water without an appropriate water right or small irrigation use permit documented by Cannabis Unit staff are violations of the Water Code and may be cause for civil administrative enforcement action by the State Water Board - Division of Water Rights. Investigating unauthorized discharges of waste, including pesticides, nutrients, and sediment, as well as surface water diversions associated with cannabis cultivation in the South Coast Region is the responsibility of the Cannabis Unit.

From March 2020 to May 2021, South Coast Regional Cannabis Unit staff, conducted 63 search warrant inspections and documented environmental violations at illicit cultivation sites with State and local law enforcement agencies. The illicit site inspections were in both the San Diego Region (47 sites) and Santa Ana Region (16 sites).

The Report directed the regions to reduce the backlog of enforcement actions initiated prior to December 2020, and prioritize future enforcement efforts, including future inspections, to targeted watersheds and sites with the greatest threats to water quality, public health, or water supply. As such, the Cannabis Unit has administratively closed a backlog of approximately 200 potential enforcement sites where inspections were conducted prior to March 1, 2021. The remaining sites represent the greatest threat to water quality, public health, water supply, and/or are within priority watersheds are slated for enforcement action. Enforcement action has begun on 14 sites thus far, nine in the San Diego Region and six in the Santa Ana Region. One site in the San Diego Region closed and was issued a No Further Action letter, and one site in the Santa Ana Region closed and was issued a No Further Action letter. The remaining sites are in various stages of enforcement, including voluntary site assessment and cleanup as a result of receiving a Notice of Violation and pending Cleanup and Abatement Orders.

Inspections of illegal cultivations, within the parameters of the Executive Oversight Committee's recommendations, continue at a rate of two to three each month in the South Coast Region.

Under California law (Health and Safety Code [HSC] Sec. 11358), unlicensed cannabis cultivation is a misdemeanor criminal offense. Various environmental violations under

the California Water Code (Water Code; CWC) and Fish and Wildlife Code are felony enhancements under HSC 11358, including CWC Sec. 13260 violations for discharge of waste without applying for the appropriate WDRs under the Cannabis Policy and General Order.

Outcomes include the prosecution of dozens of felony cases involving defendants for marijuana cultivation crimes involving Water Code Section 13260 violations where waste discharged to the environment. According to the San Diego Deputy District Attorney, none of these cases would have been viable as felonies were it not for the Water Board's investigations and resulting Water Code violations. There are still many pending criminal cases involving defendants accused of illegal cannabis cultivation including environmental violations under the Water Code, primarily in Riverside and San Diego Counties.

Cannabis Unit staff continue to actively take part in several ongoing joint-agency cooperative efforts to address illegal cultivation in areas where cannabis cultivation is prohibited. These include the San Diego Integrated Narcotics Task Force, the Riverside County Cannabis Regulatory Task Force, and various other County environmental health strike forces.

Cannabis Unit staff will continue its ongoing efforts to implement the Cannabis Policy and ensure compliance with the General Order and supply annual program update to the Board.

3. Public Release of Irrigated Lands Enforcement

Staff Contact: Chiara Clemente

On May 14, 2021 the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) Prosecution Team issued Administrative Civil Liability Complaints (Complaints) to two agricultural operators for failure to obtain coverage through either of the general agricultural orders.⁷ Both matters will be considered by the Executive Officer through delegated authority of the Board.

Complaint No. R9-2021-0018 for \$44,198 was issued to Janet Hsu and A-1 Sunshine Farms, LLC for failing to enroll operations totaling 185 acres at three different locations. A hearing on this Complaint before the Executive Officer is currently scheduled for August 12, 2021. More information on this enforcement action, including the Complaint and Public Notice can be found at the following link:

https://www.waterboards.ca.gov/sandiego/water_issues/programs/compliance/acl_complaints.html.

Complaint No. R9-2021-0105 for \$9,374 was issued to Shahin Tehrani and Five Safe T, LLC for failing to timely enroll one operation in Temecula valley totaling 71 acres. During transmittal of the Complaint, the Prosecution Team received Ms. Tehrani's acceptance of Settlement Offer No. R9-2021-0010 and imposition of an administrative

⁷ General Waste Discharge Requirements for Discharges from Commercial Agricultural Operations for Dischargers that are Members of a Third-Party Group in the San Diego Region (Third-Party General Order); or Order No. R9-2016-0005, General Waste Discharge Requirements for Discharges from Commercial Agricultural Operations for Dischargers Not Participating in a Third-Party Group in the San Diego Region (Individual General Order).

civil liability in the amount of \$1,000. The Prosecution Team had issued Settlement Offer No. R9-2021-0010 to Ms. Tehrani on February 12, 2021 and intended to withdraw the Settlement Offer with the transmittal of the Complaint. Instead, the Prosecution Team now intends to rescind the Complaint and publicly notice the Settlement for public comment prior to Executive Officer review. More information on this enforcement action, including the Settlement Offer and Public Notice can be found at the following link: https://www.waterboards.ca.gov/sandiego/board_decisions/tentative_orders/.

4. Enforcement Actions for March and April 2021 (Attachment B-4)

Staff Contact: Chiara Clemente

During the months of March and April 2021, the San Diego Water Board issued 1 Administrative Civil Liability Settlement Order, 3 Investigative Orders, 5 Notices of Violation, and 3 Staff Enforcement Letters. A summary of each written enforcement action taken is provided in the attached table. The State Water Board's [Enforcement Policy](#) contains a brief description of the kinds of enforcement actions the Water Boards can take.

Additional information on violations, enforcement actions, and mandatory minimum penalties is available to the public from the following on-line sources:

State Water Board Office of Enforcement webpage:

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

California Integrated Water Quality System (CIWQS):

http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.shtml.

State Water Board GeoTracker database: <https://geotracker.waterboards.ca.gov/>.

5. Sanitary Sewer Overflows in the San Diego Region – March 2021 (Attachment B-5)

Staff Contact: Keith Yaeger

Sanitary sewer overflow (SSO) discharges from public sewage collection systems and private laterals into the San Diego Region can contain high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oil, and grease. SSO discharges can pollute surface and ground waters, thereby threatening public health, adversely affecting aquatic life, and impairing the recreational use and aesthetic enjoyment of surface waters. Typical impacts of SSO discharges include the closure of beaches and other recreational areas, the inundation of property, and the pollution of rivers, estuaries, and beaches.

State agencies, municipalities, counties, districts, and other entities (collectively referred to as public entities) that own or operate sewage collection systems report SSO spills through an on-line database system, the *California Integrated Water Quality System* (CIWQS). These SSO spills are required to be reported under the [Statewide General](#)

[SSO Order](#)⁸, the [San Diego Regional General SSO Order](#)⁹, and/or individual National Pollutant Discharge Elimination System (NPDES) permit requirements. Some federal entities¹⁰ report this information voluntarily. Most SSO reports are available to the public on a real-time basis at the following State Water Board webpage:
https://ciwqs.waterboards.ca.gov/ciwqs/readOnly/PublicReportSSOServlet?reportAction=criteria&reportId=sso_main.

Details on the reported SSOs are provided in the following attached tables:

- Table 1: March 2021 - Summary of Public and Federal Sanitary Sewer Overflow Events
- Table 2: March 2021 - Summary of Private Lateral Sewage Discharge Events
- Table 3: March 2021 - Summary of Sewage Discharges by Source

A summary view of information on SSO trends is provided in the following attached figures:

- Figure 1: Number of Spills per Month
- Figure 2: Volume of Spills per Month

The figures show the number and total volume of sewage spills per month from March 2020 to March 2021. During this period, 33 of the 63 collection systems in the San Diego Region regulated under the Statewide SSO Program reported one or more sewage spills. Thirty collection systems did not report any sewage spills. A total of 273 sewage spills were reported and over 12.8 million gallons of sewage reached surface waters.

Additional information about the San Diego Water Board sewage overflow regulatory program is available at
https://www.waterboards.ca.gov/sandiego/water_issues/programs/ss0/index.shtml.

⁸ State Water Board Order No. 2006-0003-DWQ, *Statewide General Waste Discharge Requirements for Sanitary Sewer Systems* as amended by Order No. WQ 2013-0058-EXEC, *Amending Monitoring and Reporting Program for Statewide General Waste Discharge Requirements for Sanitary Sewer Systems*.

⁹ San Diego Water Board Order No. R9-2007-0005, *Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region*.

¹⁰ Marine Corp Base Camp Pendleton reports sewage spills to CIWQS as required by its individual NPDES permit, Order No. R9-2013-0112, NPDES Permit No. CA0109347, *Waste Discharge Requirements for the Marine Corps Base, Camp Pendleton, Southern Regional Tertiary Treatment Plant and Advanced Water Treatment Plant, Discharge to the Pacific Ocean via the Oceanside Ocean Outfall*. The U.S. Marine Corps Recruit Depot and the U.S. Navy voluntarily report sewage spills through CIWQS.

6. Transboundary flows from Mexico into the San Diego Region – March 2021 (*Attachment B-6*)

Staff Contact: Keith Yaeger

Water and wastewater in the Tijuana River and from canyons located along the international border ultimately drain from the City of Tijuana, Mexico into the United States (U.S.). The water and wastewater flows are collectively referred to as transboundary flows. The U.S. Section of the International Boundary and Water Commission (USIBWC) has built canyon collectors that capture dry weather transboundary flows for treatment at the South Bay International Wastewater Treatment Plant (SBIWTP) at the U.S./Mexico border. Dry weather transboundary flows that are not captured by the canyon collectors for treatment at the SBIWTP, such as flows within the main channel of the Tijuana River,¹¹ are reported by the USIBWC pursuant to [Order No. R9-2014-0009](#), the NPDES permit for the SBIWTP discharge. These uncaptured flows can enter waters of the U.S. and/or State of California (State), potentially polluting the Tijuana River Valley and Estuary, and south San Diego beach coastal waters.

In March 2021, there were 11 reported dry weather transboundary flows. In total, the reported dry weather transboundary flows during this period resulted in more than 622 million gallons of contaminated water¹² flowing from Mexico into the United States.

Details on the transboundary flows reported in March 2021 are provided in the attached tables:

- Table 1: March 2021 - Summary of Transboundary Flows from Mexico by Event
- Table 2: March 2021 - Summary of Transboundary Flows from Mexico by Weather Condition

According to the 1944 *Water Treaty for the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande* and stipulations established in [IBWC Minute No. 283](#), the USIBWC and the Comisión Internacional de Límites y Aguas (CILA)¹³ share responsibility for addressing border sanitation problems, including transboundary flows. Efforts on both sides of the border have led to the construction and ongoing operation of several pump stations and treatment plants to reduce the frequency, volume, and pollutant levels of transboundary flows. This infrastructure includes but is not limited to the following:

- The SBIWTP, located just north of the U.S./Mexico border, provides secondary treatment for a portion of the sewage from Tijuana, Mexico and transboundary flows conveyed from canyon collectors located in Smuggler's Gulch, Goat Canyon, Canyon del Sol, Stewart's Drain, and Silva Drain. The secondary-treated wastewater

¹¹ Tijuana River transboundary flows typically consist of a mixture of groundwater, urban run-off, storm water, treated sewage wastewater, and untreated sewage wastewater from infrastructure deficiencies and other sources in Mexico.

¹² As used in this report, the term "contaminated water" is intended to refer to water that either meets the definition of "contamination" under Water Code section 13050(k) or that creates, or threatens to create, a condition of "pollution" under Water Code section 13050(l).

¹³ The Mexican section of the IBWC.

is discharged to the Pacific Ocean through the South Bay Ocean Outfall, in accordance with USIBWC's NPDES permit, Order No. R9-2014-0009.

- Several pump stations and wastewater treatment plants in Tijuana, Mexico.
- The River Diversion Structure and Pump Station CILA in the City of Tijuana diverts dry weather transboundary flows from the Tijuana River. The flows are diverted to a discharge point at the Pacific Ocean shoreline, approximately 5.6 miles south of the U.S./Mexico border; or the flows can be diverted to SBIWTP or another wastewater treatment plant in Tijuana, depending on how Tijuana's public utility department (CESPT) directs the flow into the collection system. The River Diversion Structure is not designed to collect wet weather river flows and any river flows over 1,000 liters per second (35.3 cubic feet per second, 22.8 MGD).

Additional information about sewage pollution within the Tijuana River Watershed is available at

https://www.waterboards.ca.gov/sandiego/water_issues/programs/tijuana_river_valley_strategy/sewage_issue.html.

Part C – Statewide Issues of Importance to the San Diego

No Reports

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

Significant NPDES Permits,
WDRs, and Actions of the
San Diego Water Board

June 9, 2021

APPENDED TO EXECUTIVE OFFICER'S REPORT

**TENTATIVE SCHEDULE
SIGNIFICANT NPDES PERMITS, WDRs, AND ACTIONS
OF THE SAN DIEGO WATER BOARD**

Action Agenda Items – San Diego Water Board

**July 2021
No Meeting Scheduled**

**August 11, 2021
Meeting Location TBD**

Action Agenda Item	Action Type	Written Comments Due	Consent Item
Rescission of Order No. 86-48, Waste Discharge Requirements for the Convair Receptions Association, Pinecrest Park, San Diego County. <i>(Komeylyan)</i>	Waste Discharge Requirements Rescission	TBD	Yes
Update on San Diego River Conservancy and San Diego Water Board Coordination <i>(Gibson)</i>	Informational Item	NA	NA
Resolution Supporting 2021-22 Operational Plan. <i>(Gibson)</i>	Tentative Resolution	NA	No

**September 8, 2021
Meeting Location TBD**

Action Agenda Item	Action Type	Written Comments Due	Consent Item
General National Pollutant Discharge Elimination System (NPDES) Permit for Residual Firework Pollutant Waste Discharges to Waters of the United States in the San Diego Region from the Public Display of Fireworks (Tentative Order No. R9-2021-0063, NPDES No. CAG999003) <i>(Yaeger)</i>	NPDES Permit Reissuance	TBD	TBD
Waste Discharge Requirements for the Padre Dam Municipal Water District, Ray Stoyer Water Recycling Facility, Discharge to Sycamore Creek, San Diego County (Tentative Order No. R9-2021-0114, NPDES No. CA0107492). <i>(Lim, Osibodu)</i>	NPDES Permit Reissuance	TBD	TBD
Waste Discharge Requirements for the City of San Diego Maple Canyon Project, Phase 1: Storm Drain Improvements. <i>(Harris)</i>	Waste Discharge Requirements Reissuance	TBD	TBD

Action Agenda Item	Action Type	Written Comments Due	Consent Item
Waste Discharge Requirements for the City of San Diego Maple Canyon Project Phase 2: Stream Rehabilitation and Restoration. <i>(Harris)</i>	TBD	TBD	TBD
Rescission of Order No. 93-013, Waste Discharge Requirements for the Warner Springs Ranch Resort, Warner Springs Ranch Wastewater Treatment Plant, San Diego County. <i>(Komeylyan)</i>	Waste Discharge Requirement Rescission	TBD	Yes
Approval of 2021 Triennial Basin Plan Review 3-year Workplan (Tentative Resolution No. R9-2021-0116). <i>(Santillan)</i>	Resolution	TBD	TBD
Resolution in Support of Conceptual Unified Monitoring and Assessment Program for San Diego Bay (Tentative Resolution No. R9-2021-0151). <i>(Chiu)</i>	Resolution	TBD	TBD
Aliso Creek Mouth Restoration Project. <i>(Becker)</i>	Informational Item	NA	NA

Agenda Items Requested by Board Members**August 12, 2020**

Requested Agenda Item	Board Member	Status
Any agreement or resolution to use Supplemental Environmental Project funds to supplement SCCWRP Ambient Monitoring Programs include an effort to avoid spending SEP funds on administrative costs.	Abarbanel	Summer 2021

September 9, 2020

Requested Agenda Item	Board Member	Status
Update on new scientific information regarding climate change and how we are including climate change considerations in our work.	Abarbanel	Fall 2021

February 10, 2021

Requested Agenda Item	Board Member	Status
Update about the range of chemicals that might cause problems with the symporter of the fetus.	Olson	Summer 2021

March 10, 2021

Requested Agenda Item	Board Member	Status
Annual update on the progress and accomplishments of the Project Clean Water program, including information related to the impacts of the program on water quality.	Abarbanel, Warren	Ongoing
Region-wide workshop regarding the water quality issues in the Tijuana River Valley, including a discussion of water quality objectives and steps needed to achieve them.	Abarbanel	Fall 2021

April 14, 2021

Requested Agenda Item	Board Member	Status
Update from State Board on the lessons learned regarding the use of Zoom remote meeting platform for Board Meetings to inform how the Regional Boards move forward when we return to the office and hold Board meetings in person	Warren	June 2021
Information regarding the Water Board's Training Academy climate change courses	Abarbanel	Upcoming
Update from dischargers, staff, and residents regarding water quality improvements at Lake San Marcos.	Abarbanel	Summer 2021

May 12, 2021

Requested Agenda Item	Board Member	Status
Update from SCCWRP regarding current research projects.	Abarbanel	Fall 2021



May 27, 2021

The Honorable Kamala D. Harris
Vice President
The White House
1600 Pennsylvania Ave NW
Washington, DC 20500

RE: Invitation to Tour the Tijuana River Valley

Dear Vice President Harris:

On behalf of the City of San Diego, City of Chula Vista, City of Imperial Beach, County of San Diego, Port of San Diego and the State of California San Diego Regional Water Quality Control Board, we are writing to respectfully invite you to visit the Tijuana River Valley. In January of 2020, the United States–Mexico–Canada Agreement (USMCA) Implementation Act was signed into law, appropriating \$300 million to identify and implement solutions to mitigate a longstanding problem.

For decades, transboundary flows from Mexico have entered the United States as a combination of untreated wastewater, groundwater, and stormwater. These flows contain pollutants and harmful pathogens that pose significant risk to human health, impair beach water quality, degrade the riparian and marine habitats that wildlife relies on, and challenge U.S. Navy and Customs Border Protection personnel in carrying out their mission support operations.

We are hopeful that the USMCA process will serve as a catalyst to an unprecedented level of sustained engagement and coordination between local, state, federal, and international entities that is needed to fully address the problem of the transboundary flows that have been plaguing communities in our region for decades.

We respectfully invite you to come tour the infrastructure within the Tijuana River Valley, see the impacts of transboundary flows firsthand, and gain an enhanced understanding of the long-term investments that are necessary to solve this public health and environmental crisis.

Sincerely,



Todd Gloria
Mayor
City of San Diego



Serge Dedina
Mayor
City of Imperial Beach



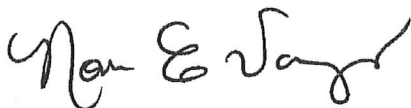
Mary Salas
Mayor
City of Chula Vista



Michael Zucchet
Chairman, Board of Commissioners
Port of San Diego



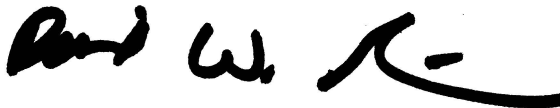
Nathan Fletcher
Chair, Supervisor District 4,
County of San Diego



Nora Vargas
Vice Chair, Supervisor District 1,
County of San Diego



Dan Malcolm
Vice Chairman, Board of Commissioners
Port of San Diego



David Gibson
Executive Officer
San Diego Regional Water Quality Control Board

CC:

Michael Regan, Administrator, U.S Environmental Protection Agency
Jane Nishida, Principal Deputy Assistant Administrator, Office of International and Tribal Affairs, U.S. Environmental Protection Agency
Deborah Jordon, Acting Administrator, U.S. Environmental Protection Agency, Pacific Southwest, Region IX
Julie Rodriguez, Director of Intergovernmental Affairs, The White House
Tina Flournoy, Chief of Staff, Office of the Vice President of the United States
The Honorable Dianne Feinstein, Senator, California
The Honorable Alex Padilla, Senator, California
The Honorable Scott Peters, Representative, California
The Honorable Juan Vargas, Representative, California
The Honorable Mike Levin, Representative, California
The Honorable Sara Jacobs, Representative, California

Enforcement Actions for March and April 2021**NPDES WASTEWATER**

Enforcement Date	Enforcement Action	Entity/ Facility/Location	Summary of Violations and Enforcement	Applicable Permit/Order Violated
3/1/2021	Administrative Civil Liability (ACL) No. R9-2021-0004	San Diego County Regional Airport Authority, Groundwater Extraction at San Diego International Airport, San Diego	Executive Officer approval of ACL Settlement for Mandatory Minimum Penalty totaling \$3,000	General National Pollutant Discharge Elimination System (NPDES) Order No. R9-2015-0013
3/3/2021	Notice of Violation (NOV) No. R9-2021-0051 and Investigative Order (IO) No. R9-2021-0052	San Diego City Metropolitan Wastewater Dept. (Public Utilities), Point Loma Wastewater Treatment Plant (WWTP) & Ocean Outfall, San Diego	Unauthorized discharge of 3,850 gallons of raw sewage to a storm water conveyance system and Torrey Pines State Beach on August 12, 2020	NPDES Order No. R9-2017-0007
4/9/2021	NOV No. R9-2021-0043 and IO No. R9-2021-0044	San Diego City Metropolitan Wastewater Dept. (Public Utilities), South Bay Water Reclamation Plant and Ocean Outfall and Point Loma WWTP & Ocean Outfall, San Diego	Falsification of shoreline monitoring data	NPDES Order Nos. R9-2017-0007 and R9-2013-0006

NPDES STORMWATER

Enforcement Date	Enforcement Action	Entity/ Facility/Location	Summary of Violations and Enforcement	Applicable Permit/Order Violated
3/16/2021	Staff Enforcement Letter	Van Luu Property, Parcel 3 Access Road, Temecula	Failure to obtain permit	NPDES Construction General Order No. 2009-0009-DWQ
4/22/2021	Staff Enforcement Letter	Naranja 24 LLC, Creekside Pointe Townhomes, San Diego	Deficient BMP implementation	NPDES Construction General Order No. 2009-0009-DWQ
4/27/2021	Staff Enforcement Letter	City of San Diego Engineering and Capital Projects Department, Market St 47 th to Euclid Ave Street Water & Sewer Replacement Project, San Diego	Deficient BMP implementation	NPDES Construction General Order No. 2009-0009-DWQ

Enforcement Actions for March and April 2021
WASTE DISCHARGE REQUIREMENTS: CANNABIS

Enforcement Date	Enforcement Action	Entity/ Facility/Location	Summary of Violations and Enforcement	Applicable Permit/Order Violated
4/16/2021	Notice of Violation	Rebecca Fenhua Zhu, Warner Springs	Active cannabis cultivation and discharge of cultivation-related waste	California Water Code (CWC) Sections 13260 and 13264
4/20/2021	Notice of Violation	Kevin L. Ho, Sydco Management Corp. Property, Warner Springs	Active cannabis cultivation and discharge of cultivation-related waste	CWC Sections 13260 and 13264

Table 1: March 2021 – Summary of Public and Federal Sanitary Sewer Overflow Events

Responsible Collection System Agency	Total Volume (Gallons)¹⁴	Total Recovered (Gallons)¹⁵	Total Reaching Surface Waters (Gallons)¹⁶	Total Reaching Separate Storm Drain and Recovered (Gallons)¹⁷	Total Discharged to Land (Gallons)¹⁸	Surface Water Body Affected¹⁹	Miles of Pressure Sewer	Miles of Gravity Sewer	Population in Service Area²⁰
City of San Diego	90	0	0	0	90	Not Applicable	112.5	2,925.1	2,500,000
City of San Diego	34	0	0	0	34	Not Applicable	112.5	2,925.1	2,500,000
City of San Diego	80	80	0	70	10	Not Applicable	112.5	2,925.1	2,500,000
Fallbrook Public Utility District	48,000	8,000	48,000	0	0	Ostrich Farm Creek	4.6	78.6	23,000

¹⁴ Total Volume = total amount that discharged from sanitary sewer system to a separate storm drain, drainage channel, surface water body, and/or land.

¹⁵ Total Recovered = total amount recovered from a separate storm drain, drainage channel, surface water body, and/or land.

¹⁶ Total Reaching Surface Waters = total amount reaching separate storm drain (not recovered), drainage channel, and/or surface water body, but does not include amount reaching separate storm drain that was recovered.

¹⁷ Total Reaching Separate Storm Drain and Recovered = total amount reaching separate storm drain that was recovered.

¹⁸ Total Discharged to Land = total amount reaching land.

¹⁹ Agencies are only required to note the surface water body affected if the discharge reaches or has the potential to reach a surface water. If the discharge did not reach a surface water and does not have a potential to reach a surface water (i.e., a discharge to land or a discharge to a separate storm drain that is fully recovered) the surface water body affected is listed as “Not Applicable.” If the discharge was to a surface water body or to a separate storm drain and was not fully recovered, and the surface water body was not reported, the surface water body affected is listed as “Not Reported.”

²⁰ As reported in the Collection System Questionnaire required under Order No. 2006-0003-DWQ.

Responsible Collection System Agency	Total Volume (Gallons)¹⁴	Total Recovered (Gallons)¹⁵	Total Reaching Surface Waters (Gallons)¹⁶	Total Reaching Separate Storm Drain and Recovered (Gallons)¹⁷	Total Discharged to Land (Gallons)¹⁸	Surface Water Body Affected¹⁹	Miles of Pressure Sewer	Miles of Gravity Sewer	Population in Service Area²⁰
Fallbrook Public Utility District	2,250	0	2,250	0	0	Fallbrook Creek	4.6	78.6	23,000
Fallbrook Public Utility District	20	20	0	20	0	Not Applicable	4.6	78.6	23,000
San Diego County Sanitation District	26,010	23,700	0	0	26,010	Not Applicable	5.3	422.0	154,716
United States Marine Corps Base Camp Pendleton	38,000	28,000	38,000	0	0	French Creek	39.2	125	83,340
United States Marine Corps Base Camp Pendleton	410	300	10	0	400	San Mateo Creek	39.2	125	83,340
United States Marine Corps Base Camp Pendleton	60	40	0	0	60	Not Applicable	39.2	125	83,340

Table 2: March 2021 – Summary of Private Lateral Sewage Discharge Events

Responsible Collection System Agency	Total Volume (Gallons)²¹	Total Recovered (Gallons)²²	Total Reaching Surface Waters (Gallons)²³	Total Reaching Separate Storm Drain & Recovered and/or Discharged to Land (Gallons)²⁴	Surface Water Body Affected²⁵	Population in Service Area²⁶	Number of Lateral Connections
City of Chula Vista	30	30	0	30	Not Applicable	265,070	49,532
City of San Diego	30	30	0	30	Not Applicable	2,500,000	265,012
El Toro Water District	10,301	6,000	4,301	6,000	Drainage Channel	48,821	9,549
Moulton Niguel Water District	2,400	0	0	2,400	Not Applicable	172,068	50,638
Vallecitos Water District	25	20	5	20	Not Reported	105,741	20,686

²¹ Total Volume = total amount that discharged from private lateral to a separate storm drain, drainage channel, surface water body, and/or land.

²² Total Recovered = total amount recovered from a separate storm drain, drainage channel, surface water body, and/or land.

²³ Total Reaching Surface Waters = total amount reaching separate storm drain (not recovered), drainage channel, and/or surface water body, but does not include amount reaching separate storm drain that was recovered.

²⁴ Total Reaching Separate Storm Drain & Recovered and/or Discharged to Land = total amount reaching separate storm drain that was recovered and/or total amount reaching land.

²⁵ Agencies are only required to note the surface water body affected if the discharge reaches or has the potential to reach a surface water. If the discharge did not reach a surface water and does not have a potential to reach surface water (i.e., a discharge to land or a discharge to a separate storm drain that is fully recovered) the surface water body affected is listed as "Not Applicable." If the discharge was to a surface water body or to a separate storm drain and was not fully recovered, and the surface water body was not reported, the surface water body affected is listed as "Not Reported."

²⁶ As reported in the Collection System Questionnaire required under Order No. 2006-0003-DWQ.

Table 3: March 2021 – Summary of Sewage Discharges by Source

Spill Type	Month/Year	Number of Spills	Total Volume (Gallons)²⁷	Total Recovered (Gallons)²⁸	Total Reaching Surface Waters (Gallons)²⁹	Total Reaching Separate Storm Drain & Recovered and/or Discharged to Land (Gallons)³⁰
Public Spills	March 2021	7	76,484	31,800	50,250	26,234
Federal Spills	March 2021	3	38,470	28,340	38,010	460
Private Spills	March 2021	5	12,786	6,080	4,306	8,480
All Spills	March 2021	15	127,740	66,220	92,566	35,174

²⁷ Total Volume = total amount that discharged from sanitary sewer system to a separate storm drain, drainage channel, surface water body, and/or land.

²⁸ Total Recovered = total amount recovered from a separate storm drain, drainage channel, surface water body, and/or land.

²⁹ Total Reaching Surface Waters = total amount reaching separate storm drain (not recovered), drainage channel, and/or surface water body, but does not include amount reaching separate storm drain that was recovered.

³⁰ Total Reaching Separate Storm Drain & Recovered and/or Discharged to Land = total amount reaching separate storm drain that was recovered and/or total amount reaching land.

Figure 1: Number of Spills per Month

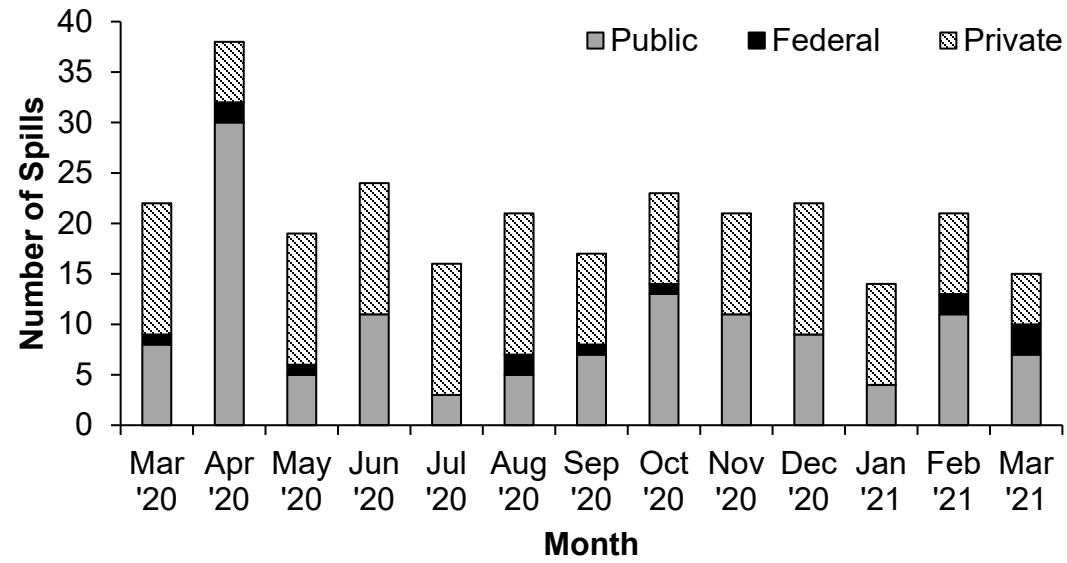


Figure 1: The number of public, federal, and private sewage spills per month from March 2020 to March 2021.

Figure 2: Volume of Spills per Month

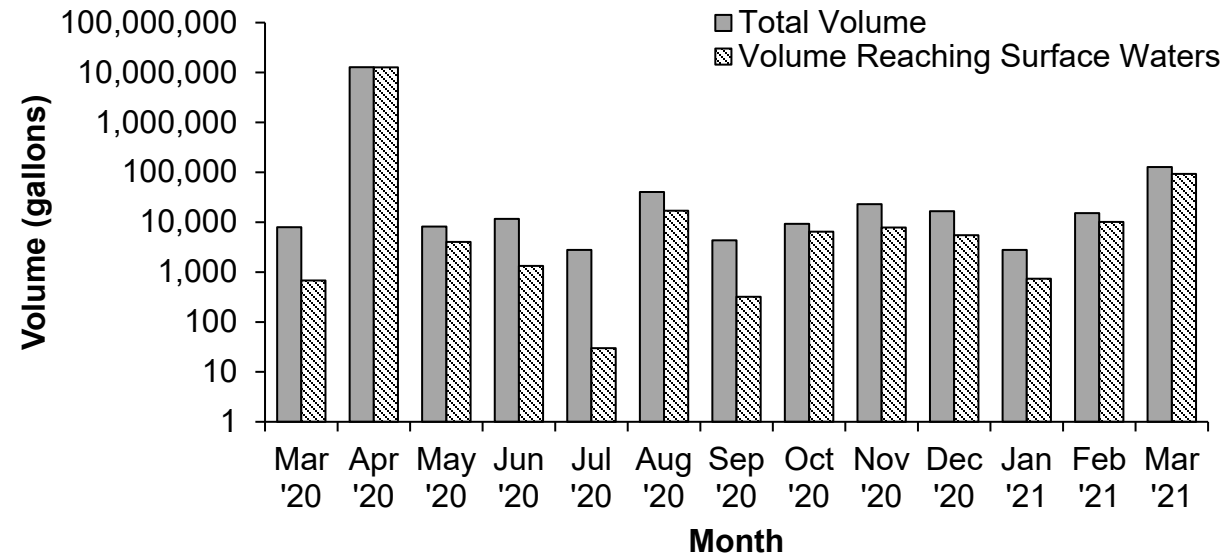


Figure 2: The volume of public, federal, and private sewage spills per month from March 2020 to March 2021. Note the logarithmic scale on the vertical axis showing the wide variation in spill volumes.

Table 1: March 2021 – Summary of Transboundary Flows from Mexico by Event³¹

Location	Date(s) of Transboundary Flow	Weather Condition ³²	Total Volume (Gallons)	Total Recovered (Gallons)	Total Reaching Surface Waters (Gallons)	Additional Details Reported By USIBWC
Tijuana River	3/1/2021	Dry	3,700,000	0	3,700,000	Tijuana River flows were beyond the capacity of the collection system in Tijuana, Mexico and the SBIWTP. As a result, Tijuana River flows bypassed the River Diversion Structure and crossed the U.S./Mexico border.
Tijuana River	3/2/2021 through 3/3/2021	Dry	2,779,000	0	2,779,000	Tijuana River flows were beyond the capacity of the collection system in Tijuana, Mexico and the SBIWTP. As a result, Tijuana River flows bypassed the River Diversion Structure and crossed the U.S./Mexico border.
Tijuana River	3/3/2021 through 3/6/2021 (unconfirmed)	Wet	Not Reported	Not Reported	Not Reported	Pump Station CILA in Mexico was shut down due to a storm event on March 3, 2021. Pump Station CILA was not placed back into service until March 19, 2021. With Pump Station CILA shut down, the San Diego Water Board assumes that Tijuana River flows bypassed the River Diversion Structure and crossed the U.S./Mexico border.

³¹ Transboundary flow volumes are obtained from self-monitoring reports submitted by USIBWC under Order No. R9-2014-0009.

³² Order No. R9-2014-0009 requires monthly reporting of all dry weather transboundary flows defined as the preceding 72 hours have been without precipitation greater than 0.1 inch, based on the Goat Canyon Pump Station rain gauge. Wet weather transboundary flows are not required to be reported and information is provided voluntarily.

Location	Date(s) of Transboundary Flow	Weather Condition ³²	Total Volume (Gallons)	Total Recovered (Gallons)	Total Reaching Surface Waters (Gallons)	Additional Details Reported By USIBWC
Tijuana River	3/6/2021 through 3/8/2021	Dry	75,200,000	0	75,200,000	<p>USIBWC reported that Tijuana River flows were beyond the capacity of Pump Station CILA in Mexico. The excess flows were due to runoff from the interior watershed that continued to flow after a storm event that ended on March 3, 2021. As a result, Tijuana River flows bypassed the River Diversion Structure and crossed the U.S./Mexico border. However, USIBWC also noted that Pump Station CILA was shut down on March 3, 2021 and was not placed back into service until March 19, 2021.</p>
Tijuana River	3/10/2021 through 3/18/2021 (unconfirmed)	Wet	Not Reported	Not Reported	Not Reported	<p>Pump Station CILA in Mexico was shut down due to a storm event on March 3, 2021. Pump Station CILA was not placed back into service until March 19, 2021. There was also a storm event beginning on March 10, 2021. With Pump Station CILA shut down and a storm event on March 10, 2021, the San Diego Water Board assumes that Tijuana River flows bypassed the River Diversion Structure and crossed the U.S./Mexico border.</p>

Location	Date(s) of Transboundary Flow	Weather Condition ³²	Total Volume (Gallons)	Total Recovered (Gallons)	Total Reaching Surface Waters (Gallons)	Additional Details Reported By USIBWC
Tijuana River	3/18/2021 through 3/20/2021	Dry	64,600,000	0	64,600,000	Tijuana River flows were beyond the capacity of Pump Station CILA in Mexico. The excess flow was due to runoff from the interior watershed that continued to flow after a storm event that ended on March 15, 2021. As a result, Tijuana River flows bypassed the River Diversion Structure and crossed the U.S./Mexico border.
Canyon del Sol	3/20/2021	Dry	420	0	420	Excessive trash and debris from Mexico obstructed the inlet to the Canyon del Sol canyon collector system. As a result, Canyon del Sol flows crossing the U.S./Mexico border bypassed the canyon collector system.
Tijuana River	3/20/2021 through 3/21/2021	Dry	15,370,000	0	15,370,000	Tijuana River flows were beyond the capacity of the collection system in Tijuana, Mexico and the SBIWTP. As a result, Tijuana River flows bypassed the River Diversion Structure and crossed the U.S./Mexico border.
Canyon del Sol	3/21/2021	Dry	350	0	350	Excessive trash and debris from Mexico obstructed the inlet to the Canyon del Sol canyon collector system. As a result, Canyon del Sol flows crossing the U.S./Mexico border bypassed the canyon collector system.
Tijuana River	3/21/2021 through 3/23/2021	Dry	62,640,000	0	62,640,000	Tijuana River flows were beyond the capacity of the collection system in Tijuana, Mexico and the SBIWTP. As a result, Tijuana River flows bypassed the River Diversion Structure and crossed the U.S./Mexico border.

Location	Date(s) of Transboundary Flow	Weather Condition ³²	Total Volume (Gallons)	Total Recovered (Gallons)	Total Reaching Surface Waters (Gallons)	Additional Details Reported By USIBWC
Tijuana River	3/23/2021 through 3/24/2021	Dry	7,792,000	0	7,792,000	Tijuana River flows were beyond the capacity of the collection system in Tijuana, Mexico and the SBIWTP. As a result, Tijuana River flows bypassed the River Diversion Structure and crossed the U.S./Mexico border.
Tijuana River	3/24/2021 through 3/25/2021	Dry	66,190,000	0	66,190,000	Pump Station CILA in Mexico was shut down for necessary improvements to the pump station infrastructure. With Pump Station CILA shut down, Tijuana River flows bypassed the River Diversion Structure and crossed the U.S./Mexico border.
Tijuana River	3/25/2021 through 3/31/2021	Dry	323,890,000	0	323,890,000	Pump Station CILA in Mexico was shut down for necessary improvements to the pump station infrastructure. With Pump Station CILA shut down, Tijuana River flows bypassed the River Diversion Structure and crossed the U.S./Mexico border.

Table 2: March 2021 - Summary of Transboundary Flows from Mexico by Weather Condition

Weather Condition³³	Month/Year	Total Volume (Gallons)	Total Recovered (Gallons)	Total Reaching Surface Waters (Gallons)
Dry Weather	March 2021	622,161,770	0	622,161,770
Wet Weather	March 2021	Not Reported	Not Reported	Not Reported

³³ Order No. R9-2014-0009 requires monthly reporting of all dry weather transboundary flows. Wet weather transboundary flows are not required to be reported. All wet weather transboundary flow information is provided voluntarily.