

San Diego  
Regional Water Quality  
Control Board



Executive Officer's  
Report

June 11, 2008

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**SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD**

**EXECUTIVE OFFICER'S REPORT**

**June 11, 2008**

**PART A**

**SAN DIEGO REGION STAFF ACTIVITIES** *(Staff Contact)*

1. Storm Water Coordinating Meetings *(James Smith)*

On May 6th Chad Loflen attended the Aliso Creek Quarterly Watershed Meeting. The meeting was attended by Copermittees under the Orange County Municipal Separate Storm Sewer System (MS4) permit whose jurisdiction includes the Aliso Creek Watershed. Topics of discussion included the status of the MS4 permit reissuance, coordination of Best Management Practices (BMPs) with home owners associations, Low Impact Development (LID), and a status report on planning for the Aliso Creek SUPER project. The SUPER project concept designs are finished and the full plans are approximately thirty-five percent complete.

On May 7, 2008, Ben Neill attended the State Water Resources Control Board's workshop regarding the proposed draft National Pollutant Discharge Elimination System General Permit for Discharges of Storm Water Associated with Construction Activities at the Metropolitan Water District in Los Angeles. The workshop was well attended with standing room only for the many municipality and construction industry representatives in attendance. Lengthy discussion focused on the difficulties and variability in determining a construction site's risk level for permit compliance. A particular concern of those in attendance was that the draft permit is not required for construction sites discharging to non-US jurisdictional waters as determined by the U.S. Army Corps of Engineers. Other topics included the unusually high turbidity effluent limit of 1000 NTU, potential problems with the proposed electronic reporting and filing programs, and the lack of State sponsored training on the proposed permit.

On Friday, May, 9, 2008, Ben Neill, Tony Felix, Chad Loflen, Peter Peuron, Ben James, and Dat Quach attended a Best Management Practices (BMP) presentation at the County of San Diego offices. These presentations are hosted by the County approximately every month to inform regulators about new storm water BMPs. The presentation described a unique storm drain inlet protection device that can control sediment at construction sites, replacing the conventional rock bag inlet protection. The unique device can also be used as a post construction BMP to control trash and undesirable wildlife from entering the storm drain.

On May 15, Dat Quach and Christina Arias participated in the San Diego Bay watershed municipal copermitttee planning meeting. This group, composed of the Unified Port District of San Diego, the San Diego Regional Airport Authority, the County of San Diego, and the Cities of San Diego, Imperial Beach, Chula Vista, Lemon Grove, Coronado, La Mesa, and National City, are jointly responsible for writing and implementation of the San Diego Bay Watershed Urban Runoff Management Plan (WURMP). The purpose of these regularly scheduled meetings is for the copermitttees in the watershed to coordinate activities described in the WURMP and required by the municipal storm water permit. Updated WURMP documents were submitted to the Regional Board in March, 2008. Mr. Quach and Ms. Arias provided input to the group regarding their activities and how well they achieved the intent of the latest municipal storm water permit for San Diego County. The Regional Board expects to attend similar meetings of copermitttees in other watersheds.

On Tuesday, May 20, 2008, Ben Neill, Mariah Mills, and Jeremy Haas met with Farida Naceem, the City of Murrieta's storm water program manager, and the developer of the Margaritaville construction site at the intersection of Margarita Rd. and Murrieta Hot Springs Rd. within the City of Murrieta. The City will eventually take ownership of the adjacent compensatory wetland mitigation. Following review of the mitigation area, the Regional Board staff and the City of Murrieta discussed the status of the private construction site's compliance with the construction permit and post-construction best management practices implementation.

On May 29, 2008, the State Water Resources Control Board (State Board) and the Regional Water Quality Control Boards (Regional Boards) discussed ways to improve communication, coordination, and implementation plan requirements between the Storm Water and Total Maximum Daily Loads (TMDLs) programs. Dave Gibson and Tony Felix were in attendance. By law, TMDL Waste Load Allocations for specific pollutants within regions must be incorporated into National Pollutant Discharge Elimination Systems (NPDES) permits for those specific regions. Improved communication and coordination between the State Board and Regional Boards is expected to lead to clarity in TMDL implementation; common permit language; standardized monitoring methods to meet load reductions; compatible program requirements for wet and dry weather requirements; coordination between programs when developing TMDL implementation provisions; and criteria for calculating program effectiveness. The expansion of NDPEs Phase II storm water permits to smaller municipalities and smaller construction activities has created demand for more detailed quantification of storm water allocations in TMDLs that can be more directly implemented through NDPEs permits.

2. Meeting of the WaterReuse Association, San Diego Chapter (Robert Morris)

On May 21<sup>st</sup>, Bob Morris from the Ground Water Basins Branch participated in a panel discussion at the San Diego Chapter meeting of the WaterReuse

Association. The Association is a national organization whose objective is to promote reclamation, recycling, reuse and desalination throughout the United States. The members of the San Diego Chapter include water agencies and municipalities, corporations, consulting firms, and recycled water users.

Mr. Morris updated the group on the status of several State Water Board and Regional Board projects that either directly or indirectly affect water reuse in the region. The update included discussions on the State Water Board's progress in developing a general statewide irrigation reuse permit, as well as a statewide recycled water policy, and an amendment to water recycling funding program. Also discussed was the Regional Board's recent update of its general waiver of waste requirements and the potential relevance to irrigation reuse projects with the adoption of the Basin Plan amendment establishing Total Maximum Daily Loads for indicator bacteria at impaired beaches and creeks.

Following the presentations by Mr. Morris and the other panelists, there was a general discussion in response to questions from the Chapter members regarding specific recycled water requirements and procedures. This provided the State and County Health Departments and the Regional Board with an opportunity to better understand the concerns of the regulated community and to clarify any misunderstandings with the prescribed requirements.

### 3. Sixth National Monitoring Conference 2008, Monitoring: Key to Understanding our Waters (*Lilian Busse*)

The Sixth National Monitoring Conference of the National Water Quality Monitoring Council was held at the Conference Center in Atlantic City, New Jersey, from May 19 to May 22, 2008. The meeting was attended by several hundred people from different federal and state agencies, universities, non-profit organizations, and environmental consulting companies. The presentations included topics on:

- National and state monitoring programs, networks and strategies
- Monitoring design and results of lakes, streams, ocean, wetlands, and groundwater
- Wastewater monitoring
- Monitoring indicators of ecological health
- Monitoring designs to detect climate change
- Monitoring of emerging contaminants
- Data management and exchange

Lilian Busse from the San Diego Regional Board gave a presentation with the title: "Enhancing the value of water monitoring data through data integration and collaboration". This presentation discussed the preliminary results of an innovative project that brings together diverse organizations and data sets to improve our understanding of water quality and pollution abatement strategies from an integrated watershed perspective.

#### 4. So. California Wetlands Recovery Project Wetlands Symposium 2008 (Mariah Mills)

On May 6-8 the Southern California Wetlands Recovery Project Wetlands Symposium was held in San Diego, CA. Regional Board staff including Bruce Posthumus, James Smith, Chiara Clemente, Ben James and Mariah Mills attended the symposium. Regional Board Chair Dr. Richard Wright was also in attendance.

The purpose of the symposium was to bring together stakeholders from local, regional and state agencies and nonprofits along with representatives of the scientific and business communities, and elected officials to learn about and to discuss advances in wetlands policy, research, and restoration. The agenda included a plenary address by Ellie Cohen of the Point Reyes Bird Observatory followed by sessions on a multitude of topics including the implications of global climate change for wetlands restoration; preserving biodiversity in an urbanizing landscape; techniques in wetland, stream, riparian, and steelhead restoration; wetlands project planning and management; and education and outreach programs. In addition, tours were offered of several local wetlands including the Tijuana River National Estuarine Research Reserve, the South Bay Salt Ponds and the San Dieguito Lagoon Restoration Project. Descriptions of the symposium sessions and tours are available online at <http://www.lasgrwc.org/WRP/symposium2008/program.html>.

#### **Background**

The Southern California Wetlands Recovery Project (WRP) is made up of eighteen federal and state agencies, including the California Regional Water Quality Control Board, San Diego Region, working cooperatively with local governments, businesses, non-profit organizations, and other stakeholders to protect and restore wetlands in the coastal watersheds of southern California. The WRP Board of Governors is the decision-making body of the WRP. The Board of Governors consists of high level representatives from each member agency. The Board of Governors meets two to three times a year to approve a project list and set policy direction for the WRP. The last Board of Governors meeting was held in San Diego on May 6, 2008. The WRP also includes the Wetlands Managers Group (which consists of staff representatives of all the member agencies), the Science Advisory Panel, the Public Advisory Committee, and task forces in each of the five coastal counties in southern California. The State Coastal Conservancy provides staffing for the WRP.

The efforts of the WRP are guided by the Regional Restoration Strategy and the Work Plan. The Regional Restoration Strategy sets forth long-term goals and specific implementation strategies. The Work Plan consists of high priority wetland acquisition, planning, and restoration projects which the WRP works to implement. The current Work Plan includes several projects in the San Diego region. These projects are located in or related to Laguna Canyon Creek, Wood Canyon Creek, Aliso Creek, Trabuco Creek, San Juan Creek, San Luis Rey

River, Buena Vista Creek, Buena Vista Lagoon, Batiquitos Lagoon, Escondido Creek, San Elijo Lagoon, Los Peñasquitos Lagoon, Rose Creek, Famosa Slough, Otay River, south San Diego Bay, Tijuana Estuary, and other areas of the San Diego region.

5. Department of Toxic Substance Control (DTSC) GeoSymposium (*Craig Carlisle, Beatrice Griffey, John Odermatt, Cheryl Prowell*)

The 2008 GeoSymposium was held in Sacramento, on May 29 - 30, 2008. Sponsored by the Department of Toxic substances Control and the SWRCB Training Academy, the Symposium offered a chance for state geologists to learn from and interact with their counterparts in a variety of governmental agencies. The symposium was attended by Craig Carlisle, Beatrice Griffey, John Odermatt, and Cheryl Prowell of the Groundwater Basins Branch. Other Groundwater Basin Branch staff members viewed portions of the symposium via webcast. The Symposium focused on groundwater quality and groundwater quantity. Opening introductions were provided by California Environmental Protection Agency Secretary Linda Adams, and SWRCB Executive Director Dorothy Rice. Speakers during the symposium included representatives from Regional Water Quality Control Boards, DTSC, the Water Replenishment District of Southern California, Caltrans, Orange County Water District, the California Board for Geologists and Geophysicists, Department of Water Resources, U.S. Geological Survey. Topics presented ranged from case studies of projects demonstrating innovative groundwater quality or water supply management approaches, electronic tools used to manage water data, an update on the professional code of conduct for geologists, and topics of general interest to geologists.

6. Conference on Remediation of Chlorinated and Recalcitrant Compounds (*Beatrice Griffey, Cheryl Prowell*)

The International Conference on Remediation of Chlorinated and Recalcitrant Compounds was presented by Battelle in Monterey, California on May 19 -22, 2008. Beatrice Griffey and Cheryl Prowell of the Groundwater Basins Branch attended. Speakers included consultants, responsible parties, regulators, and academics. Topics presented included sustainable remediation, emerging contaminants, vapor intrusion, advances in source and solvent plume characterization, risk communication, remedial action optimization, remediation of recalcitrant petroleum hydrocarbons, methyl-tertiary-butyl-ether and other oxygenates, and exit strategies and closure for remediation sites. The conference was an excellent mix of practical case studies, recent academic research, and panel discussions of current issues facing the industry.

7. Smart Growth and Sustainability on the Border Conference (*Brian McDaniel*)

The San Diego Association of Governments (SANDAG) hosted a Binational conference on Smart Growth and Sustainability on the Border on June 3, 2008. The conference was attended by key government personnel and other stakeholders from the San Diego-Tijuana region. The purpose of the conference was to build on the existing partnership between SANDAG and Mexican officials to create opportunities for planners and other stakeholders to gain insight into

one another's practices and put them to practical use in their respective communities. Regional Board staff members Brian McDaniel, Melissa Valdovinos, Christopher Means, and Benjamin Tobler attended the conference to gain a better understanding of the challenges the Regional Board faces in the Border Region and to learn about ongoing projects in Mexico. The annual event provided a forum for infrastructure, transportation, environmental, and socio-economic challenges and opportunities for smart growth on both sides of the border. Presentation subjects included long range planning models and strategies related to smart growth and sustainability in the Border Region. The conference focused on the Border Region's infrastructure and transportation needs.

#### 8. Personal Report (*DiAnne Broussard*)

This is the most recent happenings at the Regional board in recent months. The Regional Boards organizational Chart can be viewed at <http://www.waterboards.ca.gov/sandiego/misc/Visio%20Org%20Chart%203-3-2008.pdf>

#### **Recent Hires**

Sean McClain an Engineering Geologist will begin working at the on June 13, 2008, in the Central San Diego County Ground Water Unit. He has been working for San Diego County Department of Environmental Health, Site Assessment and Mitigation Program. He has Bachelors and Masters Degrees from San Diego State University in Geological Science with an emphasis in Hydrogeology. Sean previously worked as a student intern for the Regional Board from 2000 to 2002.

The Business Support Services unit has two new employees:

Amy Cooper is an Associate Governmental Program Analyst. She comes to us from Department of Food and Agriculture at the Del Mar Fairgrounds. She will oversee the new Electronic Content Management (ECM) program (also known as paperless office), and provide database administration and records management. She began working here on April 21, 2008.

Minette Enriquez is an Assistant Information Systems Analyst. She comes to us from Department of Corrections. She will provide network support, ECM support and web design and development. She began working on February 11, 2008.

#### **Promotions**

Julie Chan was promoted to Supervising Engineering Geologist on April 21, 2008. She is head of the Ground Water Basins Branch, one of the three branches created as a part of the recent Region 9 reorganization.

#### **Recruitment**

The Regional Board is currently recruiting for several technical positions; a Senior Water Resource Control Engineer to head the Southern Watershed Unit; a Water Resource Control Engineer for the Central San Diego County Ground



Water Unit; and, an Environmental Scientist for the South San Diego County Ground Water Unit. 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/jobs.shtml](http://www.waterboards.ca.gov/about_us/employment/jobs.shtml)

## **PART B** **SIGNIFICANT REGIONAL WATER QUALITY ISSUES**

### **1. Clean Water Act Section 401 Water Quality Certification Actions Taken in April and May 2008** *(Chiara Clemente) (Attachment B-1)*

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

Upon receipt of a complete 401 certification application, the Regional Board may either certify the project or deny certification, with or without prejudice. In cases where there are impacts to Waters of the U.S., the Regional Board may issue a conditional certification. The certification can be either in the form of a conditional certification document approved by the Regional Board Executive Office, or Waste Discharge Requirements (WDRs), adopted by the Regional Board. And, in the case where a federal permit is not required because impacts have been determined to be only to Waters of the State, the Regional Board may adopt WDRs. Table B-2 (attached) contains a list of actions taken during the months of April and May 2008. Public notification of pending 401 Water Quality Certification applications can be found on our web site at:

<http://www.waterboards.ca.gov/sandiego/programs/401cert.html>. Starting in January 2008, issued certifications can also be found on our web site at: <http://www.swrcb.ca.gov/rwqcb9/programs/401cert/certprojects/401projects.html>.

### **2. Enforcement Actions for May 2008** *(Mark Alpert)*

The following is a summary of all enforcement actions during the month of May 2008. During this period the Regional Board initiated 14 enforcement actions (1 Staff Enforcement Letter, 2 Notice of Noncompliance, 4 Notice of Violations with Required Technical Reports, 3 Investigative Orders, 3 Complaints for Administrative Liability and 1 Cleanup and Abatement Order).

In addition to the summary information provided below, access to information on violations, enforcement actions, and mandatory minimum penalties 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/enforcement/index.html>

Date	Action	Responsible Party
May, 2, 2008	Addendum no. 1 to Cleanup And Abatement Order No. R9-2008-0018	Jim Barbour 17215 Iron Mountain Road, Poway, CA 92064
This addendum provides an additional six months to remove soil discharged into waters of the State, by extending the cleanup date established in the CAO from February 29, to August 21, 2008. The reporting date is also extended six months from March 17, to September 15, 2008.		
May 7, 2008	Rescheduling of Public Hearing on Administrative Civil Liability Complaint Order No. R9-2007-0099: Buena Vista Lagoon Sewage Spill	Cities of Carlsbad and Vista, Buena Vista Lagoon, CA
The Regional Board notified the Cities of Carlsbad and Vista of the Regional Board's concurrence to postpone the hearing for Administrative Civil Liability (ACL) Complaint No. R9-2008-0099 for the violations of the Buena Vista Lagoon Sewage Spill, Carlsbad CA. The hearing is rescheduled to June 25, 2008. The letter also extended the deadline for submission of written responses to the Complaint to June 4, 2008.		
May 12, 2008	Notice Of Noncompliance: Enrollment In The Industrial Storm Water General Permit, Order No. 97- 03 DWQ	Paragon Building Products
The Notice of Noncompliance (NONC) was issued for failure to enroll in the Statewide Industrial Storm Water Permit, (Order No. 97- 03 DWQ). The Standard Industrial Code (SIC) for the operation at the facility is a mandatory classification for coverage in the Permit. Therefore, the discharger is required to enroll. Failure to file a Notice of Intent (NOI) to comply with the Permit within 30 days subjects the discharger to mandatory penalties, pursuant to Water Code Sections 13399.30 and 13399.33. The penalty for failure to file the NOI is five thousand dollars (\$5,000) per year.		
May 13, 2008	Investigative Order No. R9-2008-016	Thrifty Oil 7594 University Avenue, La Mesa, CA
Order No. R9-2008-016 was issued to Thrifty Oil Company Station to investigate the effect of the leaking underground storage tank discharge located at 7594 University Avenue, La Mesa, San Diego. The Order requires submittal of soil and groundwater investigation reports to begin by July 15, 2008.		

May 13, 2008	Notice of Violation (NOV) No. R9-2008-0053 & Required Technical Report	Riverside County MS4 Copermittees: City of Murrieta, City of Temecula, Riverside County, Riverside Flood Control
<p>Notice of Violation (NOV) No. R9-2008-0053 was issued for the failure to conduct monitoring as required in Waste Discharge Requirements Order No. R9-2004-001; <i>Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the County of Riverside, the City of Murrieta, the City of Temecula, and the Riverside County Flood Control and Water Conservation District within the San Diego Region</i> (Permit). The dischargers are required to submit a technical report, pursuant to Water Code Sections 13267 and 13383, no later than 5:00 PM, on June 13, 2008.</p>		
May 16, 2008	Administrative Civil Liability (ACL) Complaint for Mandatory Minimum Penalties	San Elijo WPCF 2695 Manchester Ave Cardiff
<p>Complaint No. R9-2008-0006 for Administrative Civil Liability recommends a \$9,000 for Mandatory Minimum Penalty (MMP) for three violations of effluent limitations contained in WDR Order No. R9-2005-0100, <i>San Elijo Ocean Outfall, San Diego County, CA</i>. If the discharger contests the violations alleged in the Complaint, a hearing will be scheduled for the August 13, 2008 Regional Board meeting.</p>		
May 20, 2008	Administrative Civil Liability (ACL) Complaint for Mandatory Minimum Penalties	Promenade Mall at Pacific Beach 4150 Mission Blvd San Diego
<p>Complaint No. R9-2008-0056 for Administrative Civil Liability recommends a Mandatory Minimum Penalty (MMP) of \$15,000 for five violations of effluent limitations established in WDR Order No. R9-2001-0096, <i>Discharge of Extracted Groundwater for non-San Diego Bay for the Promenade at Pacific Beach, City of San Diego</i>. If the discharger contests the violations alleged in the Complaint, a hearing will be scheduled for the August 13, 2008 Regional Board meeting.</p>		
May 20, 2008	Investigative Order No. R9-2008-0054 For Preliminary Site Assessment	Former Shell Service Station 25336 Madison Avenue, Murrieta, Riverside County
<p>The Order was issued to the former and current owners of the Former Shell Station to investigate unauthorized release of petroleum hydrocarbons at 25336 Madison Avenue, Murrieta, California. Shell Oil Products owned and operated the underground storage tanks at the time of the release, and Tesoro Petroleum Companies, Inc. is the current owner/operator of the property. The Order requires submittal of soil and groundwater investigation reports to begin by August 1, 2008.</p>		

May 20, 2008	Notice Of Violation No. R9-2008-0063 & Required Technical Report	Thornton Winery, 32575 Rancho California Road, Temecula.
The Notice of Violation (NOV) was issued for failure to implement a monitoring and reporting program required by the Industrial Stormwater permit. The dischargers are required to submit a technical report by June 27, 2008 describing how they will achieve compliance with the permit.		
May 20, 2008	Amended Complaint No. R9-2008-0019 For Mandatory Minimum Penalties	William And Heidi Dickerson, And Perry & Papenhausen Construction, Inc. 501 First Street, Coronado.
The Amended Complaint recommends that the Regional Board impose a civil liability of \$24,000 for violations of effluent limitations established by Order No. R9-2000-0090, <i>General Waste Discharge Requirements for Temporary Groundwater Extraction and Similar Waste Discharges to San Diego Bay and Storm Drains or Other Conveyance Systems Tributary Thereto</i> . The Complaint was amended in response to additional information provided by the discharger on April 21, 2008 to remove seven of the eight alleged six-month median violations. The original Complaint issued on March 14, 2008, recommended the imposition of a \$45,000 liability.		
May 23, 2008	Investigative Order No. R9-2008-066	Chevron, 27560 Jefferson Street, Temecula, CA
The Order was issued to investigate unauthorized releases of petroleum hydrocarbons at a Chevron located at 27560 Jefferson Street, Temecula, in Riverside County. The first report is required to be submitted by August 1, 2008.		
May 29, 2008	Notice of Noncompliance: Enrollment In The Industrial Storm Water Permit, Order No. 97- 03 DWQ;	Maxima Products 9266 Abraham Way Santee, CA 92071
The Notice of Noncompliance (NONC) was issued for failure to enroll in the Statewide Industrial Storm Water Permit, (Order No. 97- 03 DWQ). The Standard Industrial Code (SIC) for the operation at the facility is a mandatory classification for coverage in the Permit. Therefore, the discharger is required to enroll. Failure to file a Notice of Intent (NOI) to comply with the Permit within 30 days, subjects the discharger to mandatory penalties, pursuant to Water Code Sections 13399.30 and 13399.33. The penalty for failure to file the NOI is five thousand dollars (\$5,000) per year.		

<p>May 29, 2008</p>	<p>Notice of Violation No. R9-No. 2008-0068: Clean Water Act Section 401 Water Quality Certification No. 02C-056:</p>	<p>Wallach Property Morningstar Ranch, Riverside County,</p>
<p>The NOV was issued for violation of Clean Water Act Section 401 Water Quality Certification No. 02C-056 (Certification) for the Wallach Property, now known as Morningstar Ranch, in unincorporated Riverside County. Specific violations include: 1) Failure to submit a conservation mechanism (Condition 12 of the Certification), and 2) failure to submit the final requirements that Riverside County Flood Control and Water Conservation District (RCFCWCD) has placed on the project (Condition 16 of the Certification).</p> <p>Such violations subject the discharger to further enforcement action, including assessment of Administrative Civil Liability by the Regional Board.</p>		

<p>May 30, 2008</p>	<p>Notice of Violation No. R9-2008-0051: Failure To Comply With Directives Of Investigative Orders R9-2006-0044 and R9-2007-0041:</p>	<p>Bradley Park / Old Linda Vista Landfill, San Marcos</p>
<p>The NOV was issued to the City of San Marcos for submitting a technical report that fails to comply with directives prescribed in Water Quality Investigative Orders: 1)No. R9-2006-0044, Bradley Park/Old Linda Vista Landfill, and 2) R9-2007-0041 Failure to Maintain Adequate Best Management Practices and Discharge of Rock Fill into the Waters of the State Within the City of San Marcos, (Investigative Orders). In particular, the RoWD lacks a detailed assessment of the nature and extent of the release/discharge of waste constituents from the Bradley Park landfill into surface waters, ground water, and the vadose zone (via landfill gas/soil vapors) and fails to propose Water Quality Protection Standards based on valid and appropriate water quality data. Detailed comments on the RoWD were provided under separate cover.</p> <p>These violations subject the City of San Marcos to enforcement action by the Regional Board, including enforcement orders requiring the City of San Marcos to clean up waste and assessment of administrative civil liability.</p>		

3. Regulation of Onsite Wastewater Treatment Systems (Bob Morris)

Staff from the Regional Board's Ground Water Basins Branch is currently working with the County of Riverside Environmental Resources Management Division (ERMD) to development an agreement for the regulation of onsite wastewater treatment systems (OWTS) consisting of advanced treatment units (ATUs).

An OWTS is any individual or community wastewater treatment, pretreatment, and subsurface dispersal system that is located on the same property as the source of the wastewater. The most common OWTS in the San Diego Region is

the "conventional" septic tank/leach field system. There are also a few systems referred to as "alternative systems" such as mounds and evaporation/transpiration systems. In addition, the Regional Board has begun receiving proposals for onsite systems referred to as "advanced treatment units" (ATUs), which are small treatment plants with shallow subsurface drip irrigation systems on individual homesites and commercial lots.

The Regional Board has waived waste discharge requirements for conventional and alternative systems, deferring the regulation of these systems to the relevant county health agencies. Persons proposing ATUs, however, must obtain and comply with individual waste discharge requirements. This permitting process will continue until such time that the counties adopt local regulations for these systems that are acceptable to the Regional Board.

The County of Riverside adopted an ordinance in June 2007, establishing criteria for ERMD to regulate ATU systems. The Ground Water Basins Branch has reviewed the County's Ordinance and ERMD's subsequent policy for allowing ATUs and has found the County's provisions acceptable as an interim program until the statewide regulations go into effect. As part of its provisions, the County subjects ATUs to an annual operating permit administered by ERMD and a deed recordation of the existence of the ATU and the requirement for maintaining a renewable operating permit.

In San Diego County, the Regional Board will continue to regulate OWTS using ATUs with waste discharge requirements until the SWRCB prescribes the statewide OWTS regulations, at which time the County of San Diego is expected to adopt its ATU regulations. Because most of the Orange County portion of the San Diego Region is served with sewerage collection systems, the regulation of OWTS using ATUs is not expected to be a significant issue.

#### 4. US EPA/Army Corps Mitigation Rule (*Benjamin James*)

On April 10, 2008, the U.S. Army Corps of Engineers (the Corps) and the U.S. Environmental Protection Agency (EPA) jointly noticed the "Compensatory Mitigation for Losses of Aquatic Resources Final Rule" (i.e. Mitigation Rule) in the Federal Register. The Mitigation Rule takes effect on June 9, 2008, and establishes a hierarchy (33 CFR §332.3(b) [40 CFR §230.93(b)]) and criteria for how compensatory mitigation for aquatic impacts that require federal permits should be addressed. The hierarchy recommends that compensatory mitigation should be completed first through the purchase of mitigation bank credits. Where mitigation banks are lacking, mitigation should be completed by the purchase of in-lieu fee program credits. And in cases where neither alternative is feasible, project proponents are to mitigate using "permittee-responsible mitigation"; ideally with sites available within a watershed, alternatively through on-site and in-kind mitigation, and as a last alternative, through off-site and/or out-of-kind mitigation. Additionally, the Mitigation Rule encourages mitigation for the loss of poor quality wetlands with a lesser amount of higher-quality wetlands. Regional

Board staff believes that the Mitigation Rule fails to implement Executive Order W-59-93 (i.e. the Governor's "No-Net-Loss" Policy), and is concerned that the hierarchy established in the Mitigation Rule may result in net degradation of wetland functions and values within selected areas where mitigation alternatives are not readily available.

Implementation of the Final Rule is largely subject to the discretion of the Corps' local district staff. The Final Rule states, however, that project applicants must comply with all local and state laws while obtaining the federal permit. Therefore, through the issuance of CWA Section 401 Water Quality Certifications, it is likely the Corps' implementation of the Mitigation Rule will generate conflicts between the Corps and the Regional Board in the selection of suitable mitigation for projects that propose to fill Waters of the United States.

The Final Rule and associated information can be found at:

<http://www.usace.army.mil/cw/cecwo/reg/citizen.htm>

<http://www.epa.gov/wetlandsmitigation/>

5. Gasoline Spill at Mission Valley Terminal (*Beatrice Griffey*)

Approximately 20 gallons of gasoline were spilled to the ground surface on May 18, 2008 at the Mission Valley Bulk Terminal petroleum fuel storage facility, located at 9950 San Diego Mission Road (Mission Valley Terminal). The Mission Valley Terminal is owned and operated by Kinder Morgan Energy Partners, L.P. (Kinder Morgan). This release is the third gasoline spill from the facility due to a failed pump seal since December 2006. The Regional Board was notified of the spill by telephone on May 18 and a written incident report on May 23.

According to the report, the spill occurred May 18 at approximately 1:36 a.m. The pump seal was replaced and soil cleanup via excavation commenced on May 18. The gasoline release did not reach surface waters. Prior to backfilling the excavation, the Regional Board will conduct an inspection to observe the release location and excavation conditions. Following completion of cleanup activities, the responsible party must submit a report to the Regional Board documenting the cleanup activities. The Report will indicate if groundwater was impacted. The Regional Board has instructed Kinder Morgan to include in the Report a plan to prevent future pump seal failures.

6. Integrated Wetlands Regional Assessment Program (*Mariah Mills*)

In 2007, the Board of Governors (BOG) of the Southern California Wetlands Recovery Project, which is comprised of the top officials from the 17 State and federal partner agencies, directed development and implementation of the Integrated Wetlands Regional Assessment Program (IWRAP). The IWRAP encompasses the Statewide Wetland Monitoring Program, which is based upon the USEPA 3-tiered assessment framework: 1) inventory, 2) rapid assessment, and 3) special studies and intensive data collection. Within the 3-tiered framework, several tools and methodologies are or will soon be available for use.

These include: 1) National Wetland Inventory, currently being updated by a State Board Proposition 50 grant, 2) the California Rapid Assessment Method (CRAM) for wetlands assessment and its field-PC data management tool eCRAM, and 3) the Project Tracker, an online database and mapping tool for tracking the status of wetland restoration, mitigation, creation, and enhancement projects. These tools form the basis of assessment activities for the Statewide Wetland Monitoring Program, currently under development by the Resources Agency and its partners.

The BOG directed their staff to coordinate with partner agencies to explore mechanisms to implement IWRAP through agency programs. The partner agencies include federal and State agencies such as the Army Corps of Engineers, the National Marine Fisheries Service, the United States Fish and Wildlife Service, the State Water Resources Control Board, the California Regional Water Quality Control Boards, the California Department of Fish and Game, and the California Coastal Conservancy. In response, an inter-agency IWRAP workgroup was established and has been meeting monthly to identify feasible ways to implement IWRAP in a coordinated manner among partner agencies. The initial efforts of this group have focused on achieving the following goals:

- Agreeing on the minimum required data fields for the wetland Project Tracker;
- Developing Project Tracker procedures for data entry and distribution to partner agencies;
- Developing strategies for addressing pertinent policy or legal issues at each agency regarding implementation of CRAM and Project Tracker; and
- Identifying relationships between CRAM and Project Tracker and relevant agency programs, guidance, or policies (e.g. mapping requirements, classification systems).

The IWRAP workgroup has been meeting monthly since February 2007. The group has focused on developing the Project Tracker database and developing guidelines for use of CRAM and Project Tracker in agency regulatory and management programs. The guidelines will form a common technical foundation upon which all agencies can develop agency specific policies and procedures for use of CRAM and Project Tracker. The workgroup is currently reviewing the third iteration of the CRAM guidelines and hopes to finalize them by summer 2008. In addition, the group is working on coordinating IWRAP with other regional and statewide monitoring programs, developing a long-term funding strategy for the various aspects of IWRAP implementation and searching for a host institution for managing IWRAP tools and associated data over the long-term.

7. County of San Diego Solid Waste Trust Fund (*John Odermatt*) (*Attachment B-7*)  
The County of San Diego Board of Supervisors established a Solid Waste Trust Fund using a portion of the proceeds from the sale of its active landfills to Allied Waste, Inc. in 1997. The Trust Fund was established to offset costs of



maintaining inactive/closed landfills owned by the County of San Diego and operated by the Department of Public Works Landfill Management Unit. In January 2008, the Trust Fund had a book value of just under \$65 million. The plot in attachment B-7 illustrates the book value of the Trust Fund between 2001 and 2008. For more details on divestiture see <http://www.co.sandiego.ca.us/cnty/accomplishments/trash812.htm>.

The Trust Fund can be used to offset the costs of monitoring and maintaining inactive landfills no longer accepting municipal solid waste (trash), and former refuse burning sites to minimize impacts to the environment and to protect public health and safety. The County regularly monitors landfill gas generation and migration, groundwater quality, and storm water runoff quality. The County also maintains various systems at the sites to control landfill gas emissions, to mitigate impacts to groundwater, and to manage the flow and discharge of storm water. On most of the sites, vegetation is used to control surface erosion. The Trust Fund can be used to offset the costs of all of these types of activities.

Since 2001, the value of the trust fund has declined and the Regional Board is concerned that funds remain available in the long-term to offset costs of maintenance and monitoring at the County's inactive/closed landfills. Two reasons for the decline in the value of the Trust Fund include the costs of capping the San Marcos Landfill (\$14.3 million), and costs associated with implementing an evaluation monitoring program for the Poway Landfill. For more information on these two projects see <http://www.flatironcorp.com/assets/ProjectSheets/FLATIRON-SanMarcosLandfill.pdf> and [http://www.sdcounty.ca.gov/deh/waste/chd\\_poway.html](http://www.sdcounty.ca.gov/deh/waste/chd_poway.html). Complete investment information for the County of San Diego, including the Solid Waste Trust Fund, is available on-line at: [www.sdtreastax.com/mcf\\_invresults.html](http://www.sdtreastax.com/mcf_invresults.html).

#### 8. Update on Corrective Actions at Las Pulgas Landfill, Camp Pendleton *(Kelly Dorsey)*

The U.S. Marine Corps' (USMC) Las Pulgas Landfill at Camp Pendleton is under a Cleanup and Abatement Order to repair a defective liner system beneath the waste. The Corrective Action Plan (CAP) for the landfill, prepared in 2007, addresses problems with the waste containment system (composite liner, leachate collection and removal system, and the foundation/subgrade) in the Phase 1 expansion area. The USMC's proposed corrective construction calls for the removal of the waste currently disposed of in the Phase 1 area, removal and demolition of the side-slope liner system, and a leak detection survey/analysis (using geophysical methods) of the basal liner system. If the basal liner system is found to be defective, corrective action would include either repair or removal of the basal liner system.

In order to deal with the waste that will be removed from the Phase 1 expansion area during the corrective action process, the USMC is proposing to construct a new waste cell, the Phase 2 expansion area, which will receive the waste

removed from the Phase 1 area. Regional Board staff (Kelly Dorsey, Amy Grove, and John Odermatt) met with the USMC, U.S. Navy, and their technical representatives on May 22, 2008, to discuss the construction design of the Phase 2 expansion area. The USMC plans to submit a Joint Technical Document (JTD) including a Report of Waste Discharge (ROWD) in October 2008 for the Phase 2 expansion of the landfill. Once review of the JTD/ROWD document is complete and all outstanding issues are addressed, the Regional Board will prepare Waste Discharge Requirements (WDR) for the Phase 2 expansion. The WDRs will likely be scheduled for consideration by the Regional Board in early 2009.

9. Biological Impairment in San Diego Streams (*Lilian Busse*)

The data analysis of bioassessment samples collected since 1998 showed that 75 % of San Diego streams are biologically impaired (rated Poor or Very Poor) and only 25% are not biologically impaired (rated Fair, Good or Very Good). There is no discernable improvement of the biological integrity in San Diego streams over the last ten years.

There is a need to identify stressors at sites with biological impairment. After the stressors are identified, appropriate management strategies should be implemented to abate the sources of stressors. One of the stressors that is already identified is the condition of the physical habitat; therefore restoration or rehabilitation of impacted streams should be included in the management strategies using the biological data to establish priorities, guide the type of work to be done, the locations best suited for restoration/rehabilitation, and to track the effectiveness of that work. The Environmental Protection Agency provides an online tool for stressor identification (CADDIS = Causal Analysis/Diagnosis Decision Information System).

In addition, two Proposition 50 grants currently develop new/revised tools for the detection of biological impairment in southern California: (1) the development of a periphyton index of biological integrity; and (2) the refinement of the benthic macroinvertebrate index of biological integrity for the use in ephemeral streams. These tools will help to better measure biological impairment in southern Californian streams.

Most of the bioassessment samples were taken at targeted sites and therefore the results might be potentially biased and show worse conditions than the true conditions. A probabilistic design would provide a more accurate assessment of biological integrity; a probabilistic monitoring design will be implemented in coordination with the MS4 Copermittees in San Diego, Orange and Riverside Counties and the Storm Water Monitoring Coalition in the San Diego region in 2009.

Finally, the development of narrative biocriteria for the San Diego Region Basin Plan is a necessary step required by the Clean Water Act and a priority for US

EPA that help facilitate the restoration and maintenance of biological integrity of San Diego streams, and prevent further biological degradation.

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

1. Clean Water State Revolving Fund Workshop (*Robert Pierce*)

A Workshop on the Clean Water State Revolving Fund was convened in the Regional Board office on May 19, 2008 to improve communication between the State and Regional Boards, and to prioritize projects that target local needs and goals. Regional Board staff members Bob Morris, Robert Pierce, Bruce Posthumus, James Smith, Melissa Valdovinos, and Laurie Walsh attended the workshop. The workshop provided a forum for attendees to discuss and provide comments on the Clean Water State Revolving Fund (CWSRF) Loan Program. The CWSRF is run by the SWRCB Division of Financial Assistance (DFA) to provide loans to public agencies to implement the Clean Water Act.

The CWSRF disburses approximately \$200 to \$300 million annually in low-interest loans for construction of publicly-owned facilities (*e.g.*, wastewater treatment, sewers, water reclamation and storm water treatment), non-point source projects, and estuary conservation. Applications are accepted continuously, and the DFA adopts a priority list at least once per year. Regional Board staff discussed the process for public agencies seeking funding as well as the staff process for prioritizing the projects.

Additional workshops have been held at other Regional Boards during May 2008. The SWRCB accepted comments during and after the workshop sessions. The primary goal of the workshops is The DFA also intends to streamline the application process to increase participation in the CWSRF. Additional information regarding the CWSRF is available at [http://www.swrcb.ca.gov/water\\_issues/programs/grants\\_loans/srf/index.shtml](http://www.swrcb.ca.gov/water_issues/programs/grants_loans/srf/index.shtml)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

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

June 11, 2008

APPENDED TO EXECUTIVE OFFICER REPORT

SIGNIFICANT NPDES  
PERMITS, WDRS, AND RB ACTIONS

DATE OF REPORT	NAME OF PERMIT/WDR/RB ACTION	Action Type	Initial Document Application Complete	Dish/RWQ Limits and Monitoring Plan Known	Draft Complete	Public Rev. & Comment	BOARD HEARING & ADOPTION	Consent Item	COMMENTS	Staff
<b>June 11, 2008</b>	<b>JUNE 25, 2008 RB MEETING</b> San Diego Regional Board Office									
	CONTINENTAL MARITIME OF SAN DIEGO SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	100%	50%	June 25, 2008	No	NPDES Workplan FY 2007-08	Kelley
	CITIES OF CARLSBAD AND VISTA SEWAGE DISCHARGE TO BUENA VISTA LAGOON	Hearing: Admin. Civil Liability	NA	100%	100%	80%	June 25, 2008	No	Admin. Civil Liability Complaint \$1,100,000	Melbourn
	INTEGRATED REGIONAL WATER MANAGEMENT PROGRAM GRANTS	Status Report	NA	NA	0%	0%	June 25, 2008	No		Gibson
	TJUJANA RIVER VALLEY--RESTORATION OF WETLANDS AND POLLUTION ABATEMENT	Workshop	NA	NA	NA	0%	June 25, 2008	No		Robertus
	RESOURCE ENVIRONMENTAL LLC CHEMICAL OXIDATION PROJECT SAN MARCOS	Mitigated Negative Declaration	100%	NA	100%	50%	June 25, 2008	Yes		Becker
	RESOURCE ENVIRONMENTAL LLC CHEMICAL OXIDATION PROJECT SAN MARCOS	New WDRs	100%	100%	100%	50%	June 25, 2008	Yes		Becker
	<b>AUGUST 13, 2008 RB MEETING</b> San Diego Regional Board Office									
	US NAVY GRAVING DOCK SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	20%	0%	August 13, 2008	No	NPDES Workplan FY 2008-09	Kelley
	USMC CAMP PENDLETON DISCHARGE TO OCEANSIDE OCEAN OUTFALL	NPDES Permit Reissuance	80%	100%	20%	0%	August 13, 2008	No	NPDES Workplan FY 2008-09	Kelley
	IDEC PHARMACEUTICALS--OCEANSIDE DISCH. TO OCEANSIDE OCEAN OUTFALL	NPDES Permit Reissuance	0%	100%	20%	0%	August 13, 2008	No	NPDES Workplan FY 2008-09	Kelley
	NPDES GENERAL PERMIT HYDROSTATIC TESTING AND POTABLE WATER DISCH.	NPDES Permit Reissuance	NA	100%	20%	0%	August 13, 2008	No	NPDES Workplan FY 2006-07	Mata
	CITY OF SAN MARCOS CREEK FLOOD CONTROL PROJECT	401 WQ Certification	100%	100%	20%	0%	August 13, 2008	No		Porter
	CITY OF ESCONDIDO WASTEWATER DISCHARGE VIOLATIONS	Hearing: Admin Civil Liability	NA	NA	50%	0%	August 13, 2008	No	Admin. Civil Liability Complaint \$1,797,150	Stewart
	PROMENADE MALL DEVELOPMENT CORP. GROUNDWATER DISCHARGE TO MISSION BAY	Hearing: Admin. Civil Liability	NA	NA	50%	0%	August 13, 2008	No	Mandatory Minimum Penalty ACL \$15,000	Haas
	SAN ELIJO JOINT POWERS AGENCY DISCHARGE TO OCEAN OUTFALL	Hearing: Admin. Civil Liability	NA	NA	50%	0%	August 13, 2008	No	Mandatory Minimum Penalty ACL \$9,000	Haas
	DICKERSON, AND PERRY & PAPPENHAUSEN CONSTRUCTION CO. 501 FIRST ST., CORONADO	Hearing: Admin. Civil Liability	NA	NA	50%	0%	August 13, 2008	No	Mandatory Minimum Penalty ACL \$24,000	Melbourn

**SIGNIFICANT NPDES PERMITS, WDRS, AND RB ACTIONS**

DATE OF REPORT June 11, 2008	NAME OF PERMIT/WDR/RB ACTION	Action Type	Initial Document Application Complete	Dish/RWQ Limits and Monitoring Plan Known	Draft Complete	Public Rev. & Comment	BOARD HEARING & ADOPTION	Consent Item	COMMENTS	Staff
<b>SEPTEMBER 10, 2008 RB MEETING</b> San Diego Regional Board Office										
	CITY OF SAN DIEGO POINT LOMA OCEAN OUTFALL PACIFIC OCEAN	NPDES Permit Reissuance	90%	100%	0%	0%	September 10, 2008	No	NPDES Workplan FY 2007-08	Kelley
	OCEAN DISCHARGER RECEIVING WATER MONITORING PROGRAM UPDATES	NPDES Permits Revisions	NA	50%	0%	0%	September 10, 2008	No		Posthumus
	SAN DIEGO CO. WATER AUTHORITY--SAN VICENTE PIPELINE PROJ. DISCHARGE	Hearing; Admin. Civil Liability	NA	NA	50%	0%	September 10, 2008	No	Mandatory Minimum Penalty ACL \$120,000	Alpert
	HUBBS RESEARCH FACILITY CARLSBAD AGUA HEDIONDA LAGOON	NPDES Permit Reissuance	100%	80%	80%	0%	September 10, 2008	No		Becker
	NPDES PERMIT RESCISSIONS--4 DAIRIES AND S&S FARMS	NPDES Permit Rescission	100%	50%	0%	0%	September 10, 2008	Yes		Kelley
<b>NOVEMBER 12, 2008 RB MEETING</b> San Diego Regional Board Office										
	PADRE DAM MUNICIPAL WATER DISTRICT SANTEE RECLAMATION FACILITY	NPDES Permit Reissuance	0%	90%	0%	0%	November 12, 2008	No	NPDES Workplan FY 2008-09	Kelley
	US NAVY-- NAVAL BASE PT. LOMA SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	80%	0%	November 12, 2008	No	NPDES Workplan FY 2007-08	Kelley
	US NAVY--NAVAL BASE SAN DIEGO SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	80%	0%	November 12, 2008	No	NPDES Workplan FY 2007-08	Kelley
	US NAVY--NAVAL BASE CORONADO SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	80%	0%	November 12, 2008	No	NPDES Workplan FY 2007-08	Kelley
	NASSCO/GENERAL DYNAMICS CORP. SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	80%	0%	November 12, 2008	No	NPDES Workplan FY 2007-08	Kelley
	BAE SYSTEMS SAN DIEGO SHIP REPAIR SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	80%	0%	November 12, 2008	No	NPDES Workplan FY2007-08	Kelley
<b>UNSCHEDULED ACTION ITEM</b>										
	ORANGE COUNTY MUNICIPAL STORM WATER PERMIT	NPDES Permit Reissuance	100%	80%	80%	0%		No		
	PROPOSED GREGORY CANYON LANDFILL NORTH SAN DIEGO COUNTY	Hearing; New WDRs	100%	85%	90%	0%		No		
	2008 FED. CLEAN WATER ACT SEC. 303(d) LIST OF WATER QUALITY SEGMENTS	Adoption: CWA 303(d) WQ List	NA	NA	10%	0%		No		

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS  
FOR THE PERIOD OF APRIL 1, 2008 THROUGH MAY 31, 2008**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) <sup>1</sup>	MITIGATION (Acres) <sup>1</sup>	CERTIFICATION ACTION <sup>2</sup>
4/18/08	Richland Communities Inc., Murrieta	Lincoln Ranch Project	Amendment to the certification number 01C-048	Unnamed tributary to Murrieta Creek	Reduction from 0.81 acre of Streambed (P) to 0.6 acre	Creation of 0.81 acre of wetlands.  Creation of 0.81 acre of wetlands on the Saint Martha's Catholic Church Project site.  Purchase 1.0 acre of credit from the Santa Margarita In-Lieu-Fee Bank.	Amendment of a Technically Conditioned Certification
5/9/08	GLJ Corporation Inc., Wildomar	Oak Springs Ranch Residential Development	The projects consists of the developments of 20.91 acres multi-family apartment buildings for a maximum of 312 units, 12.89 acre of single family homes for a maximum of 103 units, and 14.35 acres of open space	Unnamed ephemeral drainages  Wildomar HSA (902.31)	0.098 acre (778 linear feet) of Wetland (P)	Creation of 810 linear feet of open conveyance channels.  Enhancement of 0.50 acre of riparian habitat.	Technically Conditioned Certification & Enrollment in SWRCB GWDR Order No. 2003-017 DWQ

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS  
FOR THE PERIOD OF APRIL 1, 2008 THROUGH MAY 31, 2008**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) <sup>1</sup>	MITIGATION (Acres) <sup>1</sup>	CERTIFICATION ACTION <sup>2</sup>
5/12/08	CSU San Marcos, San Marcos	Social & Behavioral Sciences Building	The project consists of the construction of a new Social and Behavioral Sciences Building and service road along the eastern edge of the project site.	Unnamed tributary to San Marcos Creek	0.014 acre (176 linear feet) of Streambed (P)	Purchase of 0.05 acre of Wetland Creation Credit at North County Habitat Bank.	Technically Conditioned Certification & Enrollment in SWRCB GWDR Order No. 2003-017 DWQ
5/20/08	Eichenlaub Marine, San Diego	Eichenlaub Marine Facility Renovation	The project consists of landside and in-water improvements to the Eichenlaub Marine Facility.	San Diego Bay	0.03 acre of Shoreline (P)	No compensatory mitigation is required.	Technically Conditioned Certification & Enrollment in SWRCB GWDR Order No. 2003-017 DWQ



## CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS FOR THE PERIOD OF APRIL 1, 2008 THROUGH MAY 31, 2008

1. Wetland refers to vegetated waters of the U.S. and streambed refers to unvegetated waters of the U.S. (P) = permanent impacts. (T) = temporary impacts.
2. Low impact certification is issued to projects that have minimal potential to adversely impact water quality. Conditional certification is issued to projects that have the potential to adversely impact water quality, but by complying with technical conditions, will have minimal impacts. Denials are issued when the project will adversely impact water quality and suitable mitigation measures are not proposed or possible. Time expired refers to projects that may proceed due to the lack of an action by the Regional Board within specified regulatory timelines. Withdrawn refers to projects that the applicant or Regional Board have withdrawn due to procedural problems that have not been corrected within one year.

Number of Projects Received Between April 1, 2008 and April 29, 2008: 5  
Number of Project Received Between May 1, 2008 and May 31, 2008: 7  
Number of Projects Received Between January 1, 2008 and May 31, 2008: 32  
Number of Certifications Issued Between January 1, 2008 and May 31, 2008: 17  
Number of Projects Withdrawn Between January 1, 2008 and May 31, 2008: 4  
Number of Projects Where Time-Expired Between January 1, 2008 and May 31, 2008: 0  
Number of Projects Denied Between January 1, 2008 and May 31, 2008: 0

