

San Diego Regional Water Quality Control Board



Executive Officer's Report

January 21, 2009

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SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

EXECUTIVE OFFICER'S REPORT

January 21, 2009

PART A

SAN DIEGO REGION STAFF ACTIVITIES (*Staff Contact*)

1. 2009 Basin Plan Triennial Review Public Workshop (*Deborah Woodward*)

On December 8, 2008, the California Regional Water Quality Control Board, San Diego Region (Regional Board) conducted a public workshop about the 2009 Triennial Review of the Water Quality Control Plan for the San Diego Region (Basin Plan). The purpose of the workshop was to provide an overview of the 2009 Basin Plan Triennial Review, answer questions, and encourage public input prior to the close of the public solicitation period on January 9, 2009. Deborah Woodward of the Water Quality Standards Unit outlined the process and anticipated timeline for the 2009 Basin Plan Triennial Review, and Deborah Jayne and Wayne Chiu helped answer questions. Executive Officer John Robertus gave brief opening remarks on the importance of basin planning and on the challenges imposed by current budget constraints. Mr. Robertus also stated that, in light of the Regional Board's limited budget to investigate and develop Basin Plan amendments, he would support third-party, stakeholder-driven, facilitated efforts to develop Basin Plan amendments if the interested stakeholders are willing to provide the required resources. Approximately 40 people representing a broad spectrum of stakeholders attended the workshop.

The Triennial Review is a periodic review of the Basin Plan mandated by state and federal laws. Its purpose is to identify needed updates to water quality standards and other aspects of the Basin Plan. The Regional Board initiated its 2009 Basin Plan Triennial Review on October 31, 2008 by soliciting input from the public and staff. The 70-day solicitation period closed on January 9, 2009 at 5:00 PM. During January and February, the Regional Board will consider the input received, together with issues identified during the 2004 review, and develop a draft list of priority issues to investigate and potentially address with Basin Plan amendments over the next three years. When completed, the draft priority list will be made available for public review and comment. Depending on the magnitude of response and the complexity of issues raised, the Regional Board is targeting the June 2009 Board Meeting for a formal public hearing and consideration of a Tentative Resolution containing the priority list.

A copy of the workshop presentation and information about the 2009 Basin Plan Triennial Review is available at:
http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/triennial_review.shtml.

2. January 2009 Personnel Report (*DiAnne Broussard*)

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

Departures

Environmental Scientist Benjamin James has left the Regional Board to accept an assignment with the Peace Corps in El Salvador. Ben began working for the Regional Board as a student intern in October 2006. He was hired as an Environmental Scientist in March 2008 to work in the Central Watershed Unit. His last day was January 9, 2009.

The Information Technology Unit has been dealt a heavy blow. Assistant Information Systems Analyst Minette Enriquez has accepted an Associate Information Systems Analyst position with the Department of Corrections. Her last day with the Regional Board will be February 2, 2009. She worked for the Regional Board for one year. Student Intern Vinty Siev also accepted an Associate Information Systems Analyst position with the Department of Corrections. His last day was December 26, 2008.

Recruitment

The Regional Board has selected Barry Pulver to fill the Engineering Geologist vacancy in the South San Diego Ground Water Unit. Barry worked for the Regional Board from May 2001 through October 2003. He left to accept a position with San Diego County. Barry's start date is January 20, 2009.

Recruitment continues for an Environmental Program Manager I to lead the Water Quality Restoration and Standards Branch. 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/

3. January 2009 Budget Status (*DiAnne Broussard*)

On January 6, 2009, Governor Arnold Schwarzenegger vetoed the budget bills sent to him by the legislature stating that they failed to provide real solutions for California's budget crisis and economic stimulus to aid California's ailing economy. The Governor's goals are to reduce spending by \$17.4 billion, to increase revenues by \$14.3 billion by temporarily increasing state sales and use tax, to stimulate California's economy and to make government more efficient. The budget bills that were submitted failed to meet these goals.

To begin saving money the Governor issued Executive Order S-16-08 (<http://gov.ca.gov/executive-order/11310/>) furloughing State employees two days each month. Furloughs would take place on the first and third Fridays of each month. State Offices would be closed on those days to reduce operating costs.

The first day of furlough is scheduled to be February 6, 2009. The furloughs are likely to reduce employee salaries by almost 10 percent.

PART B **SIGNIFICANT REGIONAL WATER QUALITY ISSUES**

1. Clean Water Act Section 401 Water Quality Certification Actions Taken in December 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-1 (attached) contains a list of actions taken during the month of December 2008. Certification amendments will be included in these reports, starting with June 2008. Public notification of pending 401 Water Quality Certification applications can be found on our web site at:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/publicnotice8_4_08.pdf. Certifications issued from January 2008 on, can also be found on our web site at:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/401projects.shtml.

2. Enforcement Actions for December 2008 *(Jeremy Haas)*

The following is a summary of all enforcement actions taken or initiated during the month of December 2008. During this period the California Regional Water Quality Control Board, San Diego Region (Regional Board) initiated 10 enforcement actions: 4 Notices of Violation (NOV); 2 Staff Enforcement Letters; 1 Complaint for Administrative Civil Liability (ACL); and 3 ACL Orders.

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

Board's Internet webpage at:

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

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT

ACL Complaint No. R9-2008-0161: Mountain Water Ice Company/ Oceanside Plant

Complaint No. R9-2008-0161 was issued on December 11, 2008 for \$324,000 in mandatory minimum penalties associated with the discharges from the company's Oceanside Ice Plant to the San Luis Rey River. The mandatory penalties are for 108 alleged violations of NPDES Order No. R9-2005-0015, which prescribes effluent limitations for the discharge of defrost water, evaporative condenser overflow, and melted ice to the San Luis Rey River from the Mountain Water Ice Company's Oceanside Plant. A public hearing is tentatively scheduled for March 11, 2009.

ADMINISTRATIVE CIVIL LIABILITY ORDERS

ACL Order No. R9-2008-0134: SFPP, L.P., an Operating Partnership of Kinder Morgan Energy Partners, L.P./Mission Valley Terminal

ACL Order NO. R9-2008-0134 was adopted on December 10, 2008 in the amount of \$222,000 for violations of NPDES Order R9-2001-0096, General Waste Discharge Requirements for Groundwater Extraction Waste Discharges from Construction, Remediation, and Permanent Groundwater Extraction Projects to Surface Waters within the San Diego Region Except for San Diego Bay. Violations resulted from discharges to surface waters from a groundwater remediation system. The Order resolves violations alleged in ACL Complaint No. R9-2008-0046 and includes a \$93,000 mandatory minimum penalty and a \$129,000 discretionary penalty to the Cleanup and Abatement Account Fund pursuant to California Water Code (CWC) Section 13385.

ACL Order No. R9-2008-0155: City of San Marcos / Bradley Park Landfill

ACL Order No. R9-2008-0155 was adopted on December 10, 2008 in the amount of \$119,950 for violations of Investigative Order No. R9-2006-0044, as amended. Violations resulted from failure to comply with the Investigative Order. The order resolves violations alleged in ACL Complaint No. R9-2008-0080 and directs payment to the State Water Board Waste Discharge Permit Fund pursuant to CWC Section 13268.

ACL Order No. R9-2008-0159: Santa Margarita Water District

ACL Order No. R9-2008-0159 was adopted on December 10, 2008 in the amount of \$133,190 for violations of Order R9-2007-0005, Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region. The violations resulted from two sanitary sewer overflows to surface waters in April and July 2007 totaling 887,934 gallons. The order resolves violations alleged in ACL Complaint No. R9-2008-0057 and directs payment to the State Water Board Waste Discharge Permit Fund pursuant to CWC Section 13350.

*NOTICES OF VIOLATION***NOV No. R9-2008-0152: Rancho Car Wash, Temecula**

NOV No. R9-2008-0152 was issued on December 9, 2008 for two alleged violations of Investigative Order No. R9-2006-0030. Alleged violations include failure to submit electronic monitoring reports.

NOV No. R9-2008-0153: Former Sam's Super Shell, Temecula

NOV No. R9-2008-0153 was issued on December 10, 2008 for four alleged violations of Investigative Order No. R9-2005-0178. Alleged violations include failure to submit electronic monitoring reports.

NOV No. R9-2008-0163: U.S. Marine Corps Base Camp Pendleton/Plants No. 1 and 2, Water Recycling Facility

NOV No. R9-2008-0163 was issued on December 11, 2008 for nine alleged violations of WDR Order No. R9-2000-0045. Alleged violations include discharging treated effluent to unspecified lands and violations of effluent limitations for total dissolved solids and chloride.

NOV No. R9-2008-0164 and Required Technical Report: County of San Diego/Municipal Storm Water Program

NOV No. R9-2008-0164 was issued on December 23, 2008 for alleged violations of NPDES Order No. R9-2007-0001. Alleged violations resulted from failure to meet requirements for construction storm water inspections and best management practices during the rainy season. Pursuant to CWC Section 13267 a report is required to be submitted to the Regional Board by January 30, 2009 to determine the extent and severity of the alleged violations and to assess the need for further enforcement.

*STAFF ENFORCEMENT LETTERS***City of Escondido/Hale Avenue Resource Recovery Facility.**

An SEL was issued on December 5, 2008 for alleged violations of WDR Order No. R9-1993-0070. Alleged violations include failure to submit certain reports and violations of effluent limitations for manganese. In addition, the SEL requested clarifying information in order to determine compliance with other effluent limitations.

Padre Dam Municipal Water District/Water Recycling Facility, Santee

An SEL was issued on December 9, 2008 for alleged violations of WDR Order No. 97-49, Waste Discharge and Water Recycling Requirements for Padre Dam MWD, San Diego County. Alleged violations include reporting violations and repeat violations of the rules and regulations for recycled water users.

3. Southern California Regional Brine-Concentrate Management Study (*Robert Pierce*)

Increased reclamation/recycling of treated wastewater is a critical component in the comprehensive solution to southern California's water supply needs but recycling water creates brine-concentrate wastes that are often difficult and expensive to manage. In response to this challenge, the U.S. Bureau of Reclamation and fifteen southern California water agencies formed a "partnership" to study brine-concentrate management options for the San Diego region.

The partnership has prepared a survey to solicit information regarding flow, water quality, emerging pollutants, regulatory issues, waste treatment, and disposal methods from the agencies involved in water recycling. The purpose of the study is to examine and develop solutions for managing the brine-concentrate that results from water and wastewater treatment. The partnership expects to complete the survey by the end of December 2008 and to present results in April 2009. Ultimately, the forward looking survey will be used to develop a final report to be published between August and October 2009. The final report will identify potential demonstration and pilot projects for the purpose of assessing management options for brine-concentrate derived from wastewater treatment.

The Regional Board currently regulates brine-concentrate and recycled water discharges from many of the agencies participating in the study and may be involved in regulating pilot projects as needed. The Regional Board supports increased water recycling and reuse, and encourages participation in the brine-concentrate management study. For survey forms or more information about the brine-concentrate management study, please contact Greg Krzys at gkrzys@lc.usbr.gov or (915) 695-5310.

4. Petroleum Hydrocarbon Wastes Discharged to Loma Alta Creek (*Robert Pierce*) (Attachment B-4)

San Diego Gas & Electric (SDG&E) was conducting subsurface trench work in Oceanside along the north side of Oceanside Boulevard at Agri-Chemical and Supply (Attachment B-4) when petroleum hydrocarbon wastes overflowed from the trench on December 17, 2008. The petroleum hydrocarbon wastes were adsorbed to the soils exposed in the trench and were mobilized by storm water from the rain storm that day. The storm water run-on overwhelmed the work area, causing the trench to overflow. Run off, laden with hydrocarbon wastes, entered nearby storm drains discharging to Loma Alta Creek.

The San Diego County Hazardous Incident Response Team (HIRT) worked with SDG&E and the property owner to stabilize the site on the day of the incident. The following day, December 18, the site was inspected by the Department of Fish and Game, the U.S. Coast Guard, the City of Oceanside, and the Regional Board. SDG&E and the property owner cooperated with the various agencies by providing information about the sequence of events that led to the release of

hydrocarbon wastes, and by implementing best management practices to prevent future discharges from the trench during the rainy season.

Initial reports indicated that two distinct types of hydrocarbon wastes, waste oil and fuel, were present which likely came from different sources. A potential source of the waste oil is the Agri-Chemical and Supply site which contains a former truck service bay. There may be more than one potential source of the fuel wastes, including an active ARCO gas station (located down the street from the trench site); and a former gas station at Seven Day Tire and Brake (located across the street from the trench site). The owners of Seven Day Tire and Brake recently completed a cleanup of fuel released from a leaking underground storage tank (UST) and received a "no further action" letter from the San Diego County Department of Environmental Health.

Further investigation and monitoring may be required of SDG&E, Agri-Chemical and Supply, and other persons responsible for potential hydrocarbon source areas as information on the type and quantity of the trench spill is gathered. The Regional Board will continue to work with the dischargers and other agencies to determine if additional monitoring, or additional cleanup of the storm drain or source areas is needed as a result of this incident.

5. 10,000 Gallon Spill of Jet Fuel to the Pacific Ocean (*John Anderson*)

A 10,000 gallon jet fuel JP-5 emergency release from the aircraft carrier USS Abraham Lincoln to the Pacific Ocean occurred on December 4, 2008 at approximately 8 PM. A ruptured gasket on a JP-5 line caused the fuel to fill up a space internal to the ship. An aqueous film forming foam (AFFF) was put on the spill to minimize fire danger. The ship then proceeded 50 miles out from the California coast line and approximately 10 miles south of San Clemente Island and discharged the fuel and AFFF mixture into the Pacific Ocean outside of the state's jurisdictional waters. This was an intentional discharge and no cleanup occurred. The California Department of Fish and Game and the National Oceanic and Atmospheric Administration (NOAA) responded to the notification and, coordinating with the United States Coast Guard, made several fly overs on December 5 and observed a fairly large sheen (approximately 2 miles X 300 yards) still in the area 14 hours after the release. The fuel sheen was moving away from San Clemente Island and the coast at the time of the fly overs.

NOAA sent a modeled trajectory to the Navy that indicated that NOAA did not expect the fuel to persist long enough to impact any land. The dissipation rate of the jet fuel was projected as follows:

After 12 hours: 30-40 percent of the fuel will be remaining;
After 18 hours: 10-20 percent of the fuel will be remaining; and,
After 24 hours: 5 percent or less of the fuel should be remaining.

Based on these projections the fuel was expected to fully dissipate within 24 hours of the release.

The Office of Emergency Services notified the Regional Board of the spill on December 5. Regional Board staff contacted the Navy's spokesperson to inquire why the Navy dumped the jet fuel in the Pacific Ocean beyond the state's jurisdictional waters rather than coming into port to collect and dispose of the jet fuel without releasing it to the environment. The Navy stated that this response to the shipboard spill was standard protocol for the military in such cases. No other follow up responses were received by the Regional Board staff.

6. Federal Superfund Program Sites at Marine Corps Base Camp Pendleton (Cheryl Prowell)

Marine Corps Base Camp Pendleton (Base) is the only Federal Superfund Site, (i.e., listed on the National Priorities List [NPL]), located within the San Diego Region. Field work is ongoing at 20 sites in various stages of the cleanup process including investigation, active cleanup, and long-term monitoring.

The following list highlights current Superfund cleanup activities at the Base:

- **Burn Ash Sites** – From 1942 to the early 1970s, all waste generated by Base operations was disposed of at nine refuse burning grounds. Over 150,000 tons of soil has been excavated from five burning grounds, since October 2007, to remove and dispose of soil contaminated with metals, pesticides and volatile organic compounds. Excavation is ongoing at one site, while excavation and backfill work is complete at two other sites. Excavation partially completed at a fourth site revealed substantially more contaminated wastes than were identified during the original Remedial Investigation (RI). Erosion controls were installed to stabilize this site until funding is available to complete the excavation. Excavation at the fifth site was completed; however, during excavation, buried drums were identified and removed. Releases of wastes from these drums resulted in pollution of groundwater, and the Navy submitted a workplan to further address polluted groundwater at this site. An amendment to the Record of Decision will be prepared to address the additional quantity of impacted wastes and groundwater pollution at the two sites where cleanup is still needed.
- **Volatile Organic Compounds Adjacent to the Former Waste Stabilization Pond** – Investigations of soil gas and groundwater were conducted in June and July 2008. Volatile organic compounds including tetrachloroethylene had previously been identified in groundwater near a former waste stabilization pond. An investigation was conducted in June and July 2008 to determine if these compounds could migrate through soil gas to indoor air and pose a potential threat to future users of the site. The U.S. Marine Corps (USMC) recommends conducting additional site investigation to characterize the nature and extent of contamination and assess risk to human health and the environment.

- **Impacted Water Supply Well** – 1,2,3-trichloropropane (1,2,3-TCP) has been detected at concentrations exceeding the California Department of Public Health Notification Level in water samples collected from a Base water supply well and from 21 monitoring wells located in the Santa Margarita River watershed. The USMC has taken the affected water supply well out of service. Depth discrete sampling was conducted in December 2008 to vertically delineate the extent of the 1,2,3-TCP pollution in groundwater. A soil gas survey was conducted in November 2008 to assess the migration potential of volatile constituents into soil gas from polluted groundwater. The technical evaluation and data from these efforts will be forthcoming.
- **Planned Activities** – The Navy has projected that the following documents will be submitted for Regional Board review by the end of January 2009: Five Year Review of Basewide Superfund Sites, Box Canyon Landfill (Site 7) Report on Non-Methane Organic Compound Sampling, and workplans for further field work at Sites 21 (Former Fuel Dock Facility) and Site 62 (Former Asphalt Batch Plant).

7. Status Update: Repairs to the Las Pulgas Landfill, Camp Pendleton (Kelly Dorsey)

The U.S. Marine Corps (USMC) proposed to construct a Phase II Waste Management Unit (WMU) at the Las Pulgas Landfill (Landfill) as part of a Corrective Action Plan to repair a failure in the waste containment system of the Phase I WMU. In order to begin the Phase I WMU repairs, wastes must first be transferred from the Phase I WMU to the proposed Phase II WMU. The USMC would like to begin construction of the Phase II WMU in 2009 and complete construction in 2010. The Phase II WMU will require waste discharge requirements (WDRs) from the Regional Board and a Solid Waste Facilities Permit from the San Diego County Local Enforcement Agency (LEA). The USMC submitted its *DRAFT Joint Technical Document -- Application Package for Solid Waste Facilities Permit/Waste Discharge Requirements* (Draft JTD) for the Las Pulgas Landfill on December 9, 2008. The Final JTD, expected in late March 2009, will constitute the Report of Waste Discharge for the Phase II WMU.

Currently, the Phase I WMU at the Landfill is not accepting waste because of the failed waste containment system. The extent of failure in the containment system is not yet known but was caused by an improperly constructed subgrade. This caused wastes to slump, resulting in damage to the side-slope liner system, and surfacing of leachate at the north-east end of the Phase I WMU.

As a result of these problems, the Regional Board issued Cleanup and Abatement Order (CAO) No. R9-2006-0016 to the USMC in February 2006. To comply with CAO, the USMC will remove a large portion of the wastes currently contained in the Phase 1 WMU, remove and demolish the side-slope liner system, and completed a leak detection survey of the basal liner system. The USMC plans to use the results from the leak detection survey to determine

whether or not the basal liner system is salvageable and can be fixed, or if it too will need to be demolished/removed and reconstructed. The CAO, Corrective Action Plan (Cap), and CAP Addendum can be found at in the Geotracker database, under the "Site maps/Documents" tab, at the following web address: https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=L10009449664.

The Regional Board is working with the USMC to review the Draft JTD to ensure that the information provided is complete so the Regional Board can prepare WDRs for the Phase II WMU. Once the JTD is finalized, Regional Board staff will draft a tentative Order containing Waste Discharge Requirements (WDRs) for consideration by the Regional Board. The tentative Order for the Las Pulgas Landfill will include requirements for construction of the Phase II WMU, requirements for the implementation of the CAP, and requirements for corrective action monitoring. The staff anticipates that a tentative Order will be ready for consideration by the Regional Board in the fall of 2009.

8. Update on "No Drugs Down the Drain" Campaign (*Chiara Clemente*) (*Attachment B-8*)

On November 12, 2008, the Regional Board adopted Resolution No. R9-2008-0128, in support of the, "No Drugs Down the Drain" Campaign which is designed to increase public awareness of the adverse environmental consequences of disposing of leftover medication down the toilet. The Resolution directed staff to promote the goals of the campaign by providing a link from the San Diego Regional Board web-site to the campaign website, www.nodrugsdownthedrain.org, and issuing a letter to the sewer collection and treatment agencies currently regulated in the San Diego region, requesting that they assist in educating the public and in sponsoring "take-back" programs within their service areas.

On January 6, 2009, the Regional Board issued a letter to the 62 sewer collection and treatment agencies in the region (sample letter attached), and established web links to the campaign web-site that can be found at <http://www.waterboards.ca.gov/sandiego/>. To date, the Regional Board has already received one inquiry from a sewer collection agency interested in establishing a take-back program in their service area.

9. Regional Board Pre- and Post-Emergency Actions (*Julie Chan*)

At the December Board meeting, Chairman Wright requested information on the Regional Board's actions in response to emergency situations. The Regional Board plays an important role in both preventing and responding to emergency situations where unauthorized discharges of waste occur. These situations most often arise following unusually high rainfall events when structural controls to prevent discharges are overwhelmed by the volume of runoff from a storm. Emergency situations also are created by accidental discharges due to failures of infrastructure or technology, and/or operator error.

The Regional Board uses two approaches to ensure that dischargers are prepared for the rainfall season beginning October 1. The first approach is to conduct routine facility inspections just before the rainy season to ensure that controls are in place and adequate to contain storm water. For example, construction sites are inspected in the summer to ensure that structural controls, such as retention ponds and silt fences, are in place and adequately sized and designed. Animal operations are also inspected in the summer to ensure that waste ponds have enough free board to prevent overflow during a large storm event, and that animal areas are graded to prevent runoff.

The second approach is to send pre-rainfall season letters to dischargers to remind them to prepare for the storm season. The Regional Board sent such a letter to municipal storm water dischargers in August, 2008. The letter reminded the dischargers to take all practicable actions to prepare for the upcoming rainfall season, and focus on clearing trash and waste from the storm drain system to prevent accumulated waste being discharged to surface water during the first major rainfall event.

Not all emergency situations can be anticipated. When non-rainfall related discharges occur, the Regional Board is notified by the California Emergency Management Agency (State Warning Center). During office hours, the calls from the State Warning Center are received in the office, and after business hours on the "after hours phone." This is a cellular telephone carried after hours by one of the senior staff members. Following a significant waste discharge, or a series of repeated minor discharges, Regional Board staff will investigate the site to assess repair measures and impacts to water quality, and if necessary, follow up with an investigative order and/or cleanup and abatement order. These orders can require dischargers to take actions or prepare plans to prevent future accidental spills. For very significant discharges requiring urgent response beyond the means of the responsible party, funds from the State Cleanup and Abatement Account may be requested to pay for cleanups of discharges that present serious threats to human health or the environment.

Regional Board staff members have also participated in "spill drills" sponsored by the dischargers. For example, on several occasions, Kinder-Morgan Energy Partners has invited the Regional Board and other responding agencies to enact a mock emergency spill scenario at the Mission Valley Terminal to practice agency response and coordination in the event of a major disaster.

The State Warning Center sends the Regional Board "hazardous materials spill reports" of every accidental spill affecting surface water or groundwater. These reports are received on a daily basis and are retained in the Regional Board's records. Typically, these reports describe minor fuel spills in San Diego Bay or other harbors. The Regional Board rarely follows up on these reports because the spill volumes are small, and no responsible person is identified.

The San Diego Region has experienced, or could potentially experience, many types of large scale natural disasters such as wildfires, earthquakes, floods, and landslides. The Region has been hit with two major wildfires since 2003. The Region has also faced avian infectious disease emergencies with the resulting mass mortality affecting poultry operations. To facilitate rapid response and recovery following these types of emergencies, the Regional Board has adopted disaster related waste discharge requirements and waivers of waste discharge requirements to address waste disposal related to these types of emergencies. In addition, a wildfire webpage has been established on the Regional Board website to provide information and direct affected people to tools and resources. Several Regional Board staff members have been assigned to participate in disaster related recovery teams to assist the State with assessing risks to property, human health, and the environment following a major disaster. When called upon to serve, these staff members may not necessarily be assigned to work in the San Diego Region, but could be sent to where the need is greatest.

10. Public Complaint: Armstrong Farms, Valley Center (*Amy Grove*)

The Regional Board's Groundwater Basin Branch staff is continuing to follow-up on a complaint from the United States Humane Society regarding the alleged illegal discharges of wastewater from Armstrong Farm to the storm water conveyance system.

An inspection of the facility was conducted during a rain storm on December 22, 2008 to assess the adequacy of the best management practices (BMPs) being implemented at the site. During the inspection, no discharges of wastewater onto the neighbor's property or into the storm water conveyance system were observed. The site owner has installed a number of temporary BMPs including sandbags and diversion drains to prevent wastewater from discharging offsite. These temporary measures will remain in place until more permanent measures can be installed. A meeting with the Discharger has been scheduled for the end of January to evaluate proposed permanent measures for the site.

Follow-up site inspections will be conducted over the next several months to oversee the progress of BMP implementation to evaluate the effectiveness of the measures and to assist the Discharger in bringing their facility into compliance with the conditional waiver.

PART C
STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION

1. Delay in Reimbursements for Underground Storage Tank (UST) Cleanups
(*Bob Morris*)

The State Water Board has notified the dischargers responsible for over 1,300 UST cleanups, including 129 sites in the San Diego Region, that it has suspended Letters of Commitment (LOCs) for reimbursement of their claims. The suspension was necessary to bring day-to-day funding demand into balance

with revenues and was a result of having a low cash reserve in the UST Cleanup Fund. This cash reserve was diminished in fiscal year 2007-08 by higher payouts (an increase of 18 percent in fiscal year 2007-08 over the prior fiscal year) and reduced revenues partially due to the summer spike in gasoline prices.

The UST Cleanup Fund was established by the *Barry Keene Underground Storage Tank Cleanup Fund Act of 1989*, and is administered by the State Water Board to provide a means for petroleum UST owners and operators to meet the federal and state requirements. The Fund requires every owner of a petroleum UST that is subject to regulation under the Health and Safety Code to pay a per gallon fee to the Fund. To be eligible to file a claim with the Fund, the claimant must be a current or past owner or operator of the UST from which an unauthorized release of petroleum has occurred, and be required to undertake corrective action as directed by the regulatory agency. Other eligibility conditions include compliance with applicable state UST permitting requirements and regulatory agency cleanup orders.

The LOC suspension is for Fund matters only. The UST owners and operators are still responsible for complying with any regulatory directives/time schedule orders issued by the UST Local Oversight Program and/or the Regional Board directing the corrective actions on the site. The impact of the suspension on the progress of cleanup at the 129 sites in the San Diego Region will be monitored by the Regional Board's Groundwater Basins Branch.

2. Proposed State Recycled Water Policy (*Robert Pierce*) (*Attachment C-2*)

The State Water Board convened a public hearing on the proposed Recycled Water Policy (proposed Policy) during its Board meeting on January 6, 2009. Written comments were received from 65 interested persons, including the San Diego Water Board, water districts, local governments, business associations, and individuals; indicating a high level of interest in the proposed Policy. See Attachment C-2 for a copy of the San Diego Water Board's comments. A wide range of issues were discussed in Stakeholder comments, including the relationship of the proposed policy to other Regional and State Water Board policies such as "Anti-Degradation," the legal authority for the proposed policy, groundwater quality standards, and funding for salt and nutrient management planning. The State Water Board staff will prepare responses to comments and revise the Policy. Once those tasks are completed, the proposed policy will be considered for adoption by the State Water Board at a future meeting. Additional information on the State Water Board's proposed Policy can be found on-line at http://www.waterboards.ca.gov/water_issues/programs/water_recycling_policy/index.shtml.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

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

January 21, 2009

APPENDED TO EXECUTIVE OFFICER REPORT

Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
February 11, 2009 Regional Board Meeting San Diego Regional Water Board Office							
Ametek Inc. (Laurie Walsh / John Anderson)	Hearing: ACL	NA	NA	100%	NA	No	ACL Penalty \$2,265,000
City of Escondido Hale Avenue Resource Recovery Facility (Rebecca Stewart)	ACL Settlement	100%	NA	100%	0%	No	Settlement Agreement for \$1.335M
Dyegy South Bay LLC, South Bay Power Plant Discharge to San Diego Bay (Vicente Rodriguez)	NPDES Permit Revisions	100%	75%	20%	0%	No	
Hearing on Moritz Property Cleanup and Abatement Order CAO . (Chris Means)	Hearing : CAO	NA	NA	50%	0%	No	
Master Reclamation Permit with WDRs for the SRTTP USMC Base Camp Pendleton (Robert Pierce)	Hearing: New WDRs	100%	100%	100%	100%	No	Waiting for nutrient uptake study from USMC to consider revising nitrogen discharge specification.

Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
NPDES Permit Rescissions-- Frank J. Konyon Dairy, Van Ommering Dairy, Tom Van Tol Dairy, Stiefel Dairy S & S Dairy (Michelle Mata)	NPDES Permit Rescission	0%	0%	100%	50%	No	
One America Plaza Dewatering Discharge to San Diego Bay (Rebecca Stewart)	Hearing: ACL	100%	NA	100%	0%	No	Mandatory Minimum Penalty ACL \$12,000
Poseidon Resources Corporation (Michelle Mata)	Compliance Determination	NA	NA	0%	No	No	
Studio 15 Apartments Dewatering Discharge to San Diego Bay (Frank Melbourn)	Hearing: ACL	100%	NA	100%	0%	Yes	Mandatory Minimum Penalty ACL \$42,000
March 11, 2008 Regional Board Meeting San Diego Regional Water Board Office							

Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
BAE Systems San Diego Ship Repair Shipyard - San Diego Bay (Vicente Rodriguez)	NPDES Permit Reissuance	100%	90%	80%	0%	No	NPDES Workplan FY2007-08
CALTRANS - Buckmann Springs Rest Stop (Fisayo Osibodu)	New WDRs	70%	0%	0%	0%	Yes	
Carlsbad Energy Center, LLS Power Brine Discharge To Pacific Ocean (Michelle Mata)	NPDES Permit New	90%	80%	50%	0%	No	
City of San Diego Pt. Loma Ocean Outfall Discharge to Pacific Ocean - Deliberation and Adoption of NPDES Permit (Melissa Valdovinos / Brian Kelley)	NPDES Permit Reissuance	100%	90%	0%	0%	No	Pending resolution of issues raised by USEPA
Hubbs Research Facility Carlsbad - Agua Hedionda Lagoon (Michelle Mata)	NPDES Permit Reissuance	100%	80%	80%	50%	No	Pending receipt of information from Hubbs Res.
Mountain Water Ice Discharges to San Luis Rey River (Rebecca Stewart)	Hearing: ACL	100%	NA	80%	0%	No	Mandatory Minimum Penalty ACL \$324,000

Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
NASSCO / General Dynamics Corp. - Shipyard San Diego Bay (Vicente Rodriguez)	NPDES Permit Reissuance	100%	90%	80%	0%	No	NPDES Workplan FY 2007-08
NPDES General De Minimis Discharges Permit - San Diego Region (Michelle Mata)	NPDES Permit Adoption	NA	0%	0%	0%	No	
NPDES General Permit Hydrostatic Testing and Potable Water Discharge (Michelle Mata)	NPDES Permit Reissuance	NA	100%	80%	0%	No	NPDES Workplan FY 2006-07
Orange County Municipal Storm Water Permit (Chad Loffen / James Smith)	NPDES Permit Reissuance	100%	80%	80%	0%	No	Pending resolution of issues raised by USEPA
Padre Dam Municipal Water District - Santee Reclamation Facility (Melissa Valdovinos)	NPDES Permit Reissuance	100%	90%	80%	0%	No	NPDES Workplan FY 2008-09
Poseidon Resources Corporation (Michelle Mata)	NPDES Permit Revision	NA	NA	0%	No	No	

Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
Rancho Corrido RV Park (Fisayo Osibodu)	WDRs Revision	50%	50%	0%	0%	No	Expansion of Facility
US Navy Graving Dock San Diego Bay (Vicente Rodriguez)	NPDES Permit Reissuance	100%	90%	20%	0%	No	NPDES Workplan FY 2008-09
US Navy-- Naval Base Pt. Loma - San Diego Bay (Vicente Rodriguez)	NPDES Permit Reissuance	100%	90%	80%	0%	No	NPDES Workplan FY 2007-08
US Navy--Naval Base Coronado - San Diego Bay (Vicente Rodriguez)	NPDES Permit Reissuance	100%	90%	80%	0%	No	NPDES Workplan FY 2007-08
US Navy--Naval Base San Diego - San Diego Bay (Vicente Rodriguez)	NPDES Permit Reissuance	100%	90%	80%	0%	No	NPDES Workplan FY 2007-08
April 8, 2009 Regional Board Meeting San Diego Regional Water Board Office							
Constructed Seawall At First St. Coronado Dewatering Discharge To San Diego Bay (Frank Melbourn)	Hearing: ACL	NA	NA	50%	0%	No	Mandatory Minimum Penalty ACL \$24,000

DATE OF REPORT
January 21, 2009

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

1/16/2009 10:38 AM

Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
Ocean Discharger Receiving Water Monitoring Program Updates (<i>Bruce Posthumus</i>)	NPDES Permit Revisions	NA	50%	0%	0%	No	
Skinner Lake Rec Area (<i>Bob Morris</i>)	WDRs Revision	10%	80%	0%	0%	Yes	MRP Change
South Orange County Wastewater Authority, South Coast Water District, Groundwater Recovery Facility (<i>Joann Cofrancesco</i>)	Hearing: ACL	NA	NA	100%	0%	No	Mandatory Minimum Penalty ACL \$57,000
May 13, 2009 Regional Board Meeting San Diego Regional Water Board Office							
Initial Hearing - 2008 Fed. Clean Water Act Sec. 303(D) List Of Water Quality Segments (<i>David Gibson</i>)	Hearing: CWA 303(d) WQ List	NA	NA	50%	0%	No	
June 10, 2009 Regional Board Meeting San Diego Regional Water Board Office							

Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
2008 Basin Plan Triennial Reivew (Deborah Woodward / Deborah Jayne)	Resolution Adoption	NA	0%	0%	0%	No	
Adoption Hearing - 2008 Fed. Clean Water Act Sec. 303(D) List of Water Quality Segments (David Gibson)	Adoption: CWA 303(d) WQ List	0%	0%	0%	0%	No	
Adoption Hearing - Revised Bacteria Impaired Waters TMDL Project I For Beaches And Creeks (Wayne Chiu / Benjamin Tobler / Amy Mecklenborg)	Hearing: TMDL Basin Plan Amendment	100%	100%	0%	0%	No	Revise TMDL for Bacti Indicators using Exceedance Days Approach. TMDL will be remanded to Regional Board in October 2008.
Adoption Hearing - Tecolote Creek Bacti TMDL (Amy Mecklenborg / Benjamin Tobler / Wayne Chiu)	Hearing: TMDL Basin Plan Amendment			50%		No	
Sweetwater Authority Groundwater Demineralization (Michelle Mata)	NPDES Permit Reissuance	0%	80%	0%	0%	No	

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

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
12/02/08	San Eljijo Lagoon Conservancy (SELC)	San Eljijo Lagoon Inlet Maintenance Project	The project involves the placement of dredged material (sand) in the surf zone and three types of lagoon inlet maintenance activities including emergency breaches, emergency openings, and maintenance openings.	San Eljijo Lagoon and the Pacific Ocean	Temporary: Emergency Breaches: ~0.82 acre; Emergency Openings: ~1.34 acres; Maintenance Openings: ~4.27 acres of unvegetated waters of the US	No compensatory mitigation is required as this project is considered self-mitigating.	08C-072 Technically Conditioned Certification & Enrollment in SWRCB GWDR Order No. 2003-017 DWQ
12/04/08	Department of Parks and Recreation	Los Penasquitos Lagoon Mouth Maintenance Project	The project involves lagoon maintenance activities including the placement of dredge material (sand), emergency breaches, and emergency openings.	Los Penasquitos Lagoon and the Pacific Ocean	Temporary: Emergency Breaches: ~3.59 acres of unvegetated waters of the U.S. Emergency Openings: ~5.27 acres of unvegetated waters of the U.S.	No compensatory mitigation is required as this project is considered self-mitigating.	07C-094 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 DECEMBER 1, 2008 THROUGH DECEMBER 31, 2008**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
12/08/08	The City of San Diego	Sewer & Water Group 689	The project consists of the construction for the replacement, rehabilitation, and installation of approx. 9,850 linear feet of 8-inch*, 10-inch*, and 15-inch* sewer main, and 3,093 linear feet of 8-inch* water main, sewer manholes, sewer cleanouts, sewer laterals, fire hydrants, water services, curb ramps and street resurfacing.	Unnamed tributary to San Diego River	Permanent: 0.008 acre of unvegetated streambed Temporary: 0.002 acre of unvegetated streambed	Create: 0.009 acre at Camino del Rio North – San Diego River Creation	08C-044 Technically Conditioned Certification & Enrollment in SWRCB GWDR Order No. 2003-017 DWQ
12/16/08	Caltrans District 11, MS-242	I-15 Lake Hodges Bridge Emergency Maintenance Project	The project involves the placement of filter fabric from the outlet of the existing 36-inch Corrugated Metal Pipe down to the toe of the slope, the placement of one ton of rock on top of the filter fabric to act as Rock Slope Protection (RSP), and the excavation of a 16-foot long by 9-foot wide by 4-foot deep area at the toe for the RSP.	Lake Hodges	Temporary: 1040 square feet of lake	This was an emergency certification where the proposed fill was necessary to minimize threat to life and property; no mitigation was required.	08C-094 Technically Conditioned Certification & Enrollment in SWRCB GWDR Order No. 2003-017 DWQ

* = Diameter

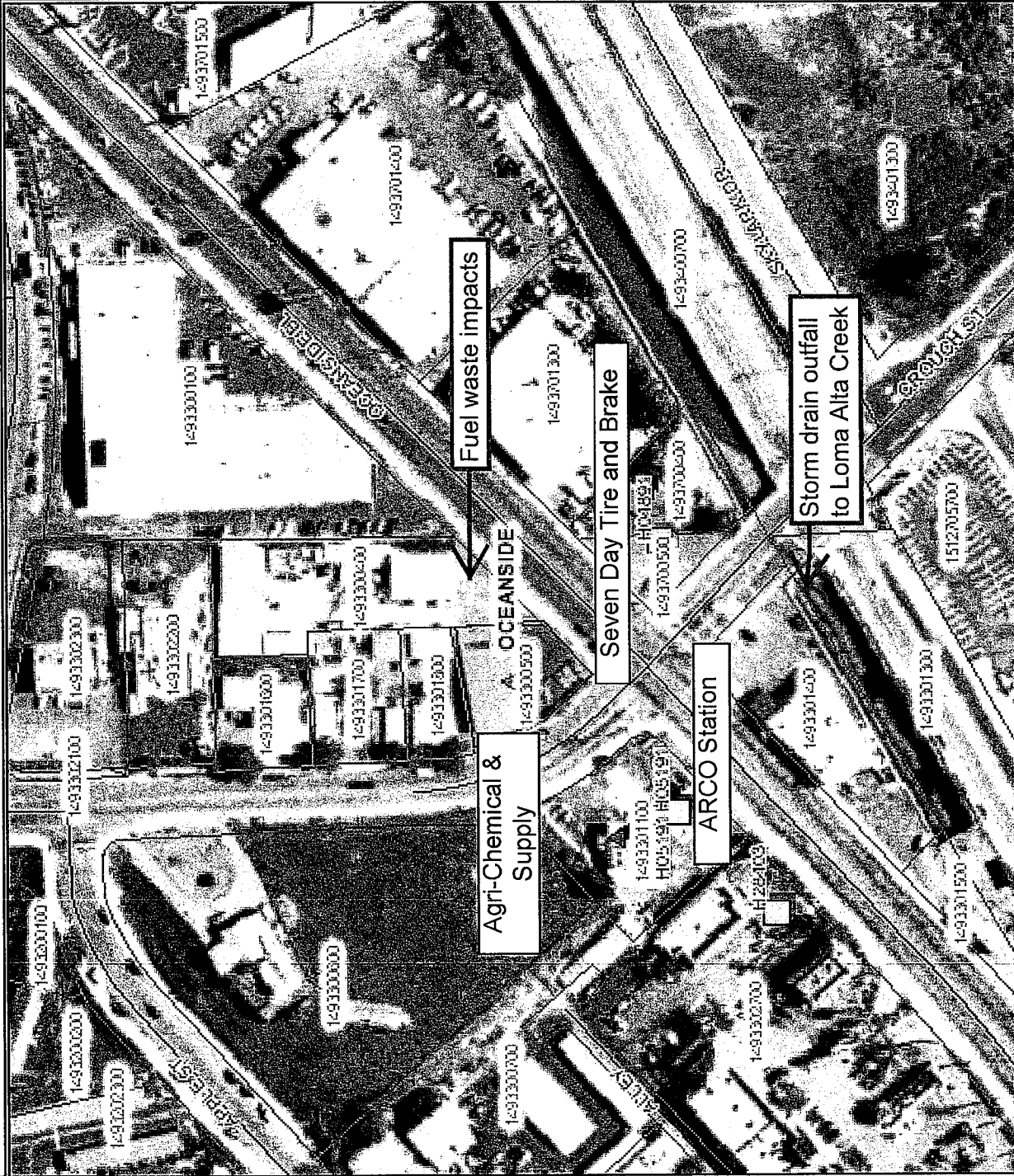
**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF DECEMBER 1, 2008 THROUGH DECEMBER 31, 2008**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
12/23/08	County of San Diego Parks and Recreation Department	Otay Valley Regional Park Trails Project	Amendment to certification 06C-035 to change permanent impacts and mitigation.	Otay River	Amendment increases permanent impacts to 0.236 acre of Southern Willow Scrub; 0.052 acre of Non-Wetland Waters	Amendment increases Southern Willow Scrub creation to 0.396 acre	06C-035 Amendment to a Technically Conditioned Certification

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.

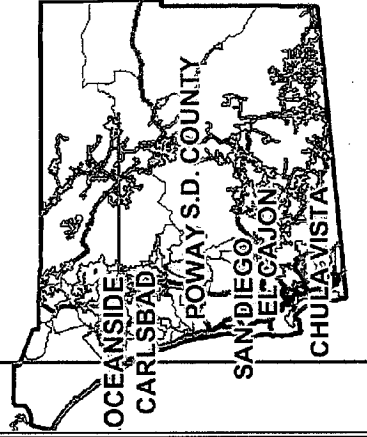
Number of Projects Received Between December 1, 2008 and December 31, 2008: 6
 Number of Amendments Received Between December 1, 2008 and December 31, 2008: 1
 Number of Projects Received Between January 1, 2008 and December 31, 2008: 97
 Number of Certifications Issued Between January 1, 2008 and December 31, 2008: 42
 Number of Projects Withdrawn Between January 1, 2008 and December 31, 2008: 21
 Number of Projects Where Time-Expired Between January 1, 2008 and December 31, 2008: 5
 Number of Projects Denied Between January 1, 2008 and December 31, 2008: 2

2002 Oceanside Blvd, Oceanside



Legend

- ▲ SAM MWs
- SAM Environmental Listing
- Streets
- Highways
- Freeways
- Parcels
- County Boundary
- Cities
- 2007 Orthophoto South West
- 2007 Orthophoto South East
- 2007 Orthophoto North West
- 2007 Orthophoto North East



Scale 1:1,668
 San Diego County Department of Environmental Health
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Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA



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January 6, 2009

In reply refer to:
General:cclemente

SUBJECT: No Drugs Down the Drain! Campaign

Recent studies reporting pharmaceutical compounds in the environment highlight the need for alternatives to disposing of unwanted medication to the sanitary sewer system. By providing the public with these alternatives, you can immediately minimize the discharge of pharmaceuticals into the receiving waters.

On November 12, 2008 the San Diego Regional Water Quality Control Board (hereafter, Regional Board) adopted Resolution No. R9-2008-0128 (copy enclosed), a resolution in support of the "No Drugs Down the Drain!" campaign. The campaign website, www.nodrugsdownthedrain.org, contains useful information and a link to existing pharmaceutical take-back programs near a given zip code. The Regional Board recognizes that there are few take-back locations in the Region, and would like to encourage your agency to participate in the effort to minimize the improper disposal of prescription and non-prescription medication by:

- Conducting pharmaceutical take-backs in your local area.
- Promoting proper disposal alternatives.
- Educating residents to never flush drugs down the drain.
- Assisting with coordination, outreach, funding or in-kind services such as graphic design, pharmacist volunteers, event space and advertising.
- Becoming a partner on www.nodrugsdownthedrain.org

For further information on pharmaceutical disposal and the campaign, please visit www.nodrugsdownthedrain.org. To contact our office regarding this matter, please call Ms. Chiara Clemente at (858) 467-2359, or e-mail via cclemente@waterboards.ca.gov.

Respectfully,

JOHN H. ROBERTUS
Executive Officer

enclosure: Resolution No. R9-2008-0128

California Environmental Protection Agency



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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

RESOLUTION NO. R9-2008-0128

TO
SUPPORT THE "NO DRUGS DOWN THE DRAIN" CAMPAIGN
FOR
PHARMACEUTICAL MEDICATION DISPOSAL
IN THE
SAN DIEGO REGION

WHEREAS, the California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. Pharmaceuticals and chemicals from other types of personal care products have been detected in approximately 80% of streams sampled by the U.S. Geological Survey, throughout the United States;
2. Improper disposal of pharmaceutical medications has a potentially negative impact on California's water quality, the health of its people, and the environment;
3. Pharmaceutical compounds contained in unused prescription and non-prescription medication and non-metabolized excrement enter sewage treatment plants via the sanitary sewer system;
4. In the San Diego Region, sewage treatment plant effluent containing pharmaceutical compounds is either discharged directly to surface waters, such as the Ocean, or discharged to land where the compounds can migrate to ground waters;
5. Conventional wastewater treatment processes at sewage treatment plants do not currently have the capability of removing most pharmaceutical compounds; thus source control is the best available measure to minimize impacts to water quality and beneficial uses;
6. Very few disposal options for unused or outdated pharmaceutical medications are currently available to the citizens of California; and
7. The "No Drugs Down the Drain" campaign offers disposal information and site-specific pharmaceutical take-back locations through a website available to the public.

THEREFORE, BE IT RESOLVED THAT, The San Diego Regional Water Quality Control Board endorses and supports the goals of the "No Drugs Down the Drain" pharmaceutical medication disposal and education campaign, and will help establish and promote the goals of the campaign by providing a link on the Regional Board's website to the "No Drugs Down the Drain" website. The Executive Officer is directed to send a letter to the sewer collection and treatment agencies in the Region, requesting that they assist in educating the public and sponsoring "take-back" programs within their service areas for pharmaceutical and non-pharmaceutical medication.

I, John H. Robertus, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the California Regional Water Quality Control Board, San Diego Region, on November 12, 2008.


JOHN H. ROBERTUS
Executive Officer

3. Define the total load and develop allocations;
4. Develop implementation plan;
5. Amend the Basin Plan.

With the focus on salt/nutrient management plans, and watershed salt/nutrient loading allocations that may be included in those plans, the proposed Policy may create a market for salt/nutrient loading allocations to be traded or sold among dischargers. If this is the intent of the State Water Board, then the proposed Policy should be revised to establish guidance for permitting new projects in basins where the purchase or trading of salt/nutrient load allocations may be one method used to ensure that salt/nutrient application loads allow the water quality to remain within the basin's assimilative capacity for those constituents.

The proposed Policy notes that salt/nutrients have multiple sources that must be regulated in addition to recycled water projects (see lines 168 to 174). The proposed Policy also notes that other constituents may be included in these plans (see lines 221 to 223). Because of the potentially limitless combinations of constituents, the development of the salt and nutrient management plans is well suited to a mediated process involving stakeholders and regulatory agencies.

Lines 224 to 230. The proposed Policy requires the Regional Boards to consider a Basin Plan Amendment to add Salt and Nutrient Management Plan implementation provisions to the Basin Plan within 1 year of receiving a proposed plan. This is a very optimistic goal for amending the Basin Plan given the Basin Planning process which involves CEQA compliance, stakeholder participation, and public noticing, and given the very limited and shrinking Basin Planning resources currently allocated to the Regions.

Lines 261 to 265. The text discussion should be revised to include a reference to Section 10 for the definition of the "expert panel" in the context of the proposed Policy.

Section 7. Landscape Irrigation Projects

b. Streamlined Permitting

Contrary to one of the stated purposes of streamlined permitting, this approach does little to "allow the Regional Water Boards to focus their limited resources on projects that require substantial regulatory review due to unique site-specific conditions." Instead, the approach places unrealistic deadlines on the Regional Water Boards to adopt permits that meet streamlining criteria. Since the San Diego Water Board already requires and reviews the type of information called for as streamlining criteria in Reports of Waste Discharge for recycled water projects, the "streamlined process" doesn't lessen our regulatory burden.

including notification requirements. The proposed Policy should be amended to alert project proponents who propose to inject recycled water into an aquifer of the requirements of the UIP, or if these projects are exempt from the UIP, explain why.

Section 9. Antidegradation

Lines 391 to 395. The San Diego Region has several basins where water quality objectives for Total Dissolved Solids (TDS) and nutrients are more stringent than the drinking water standards. Ensuring that discharges don't cause pollution or nuisance implies that water quality objectives in those high quality basins should be relaxed to the drinking water objectives to facilitate recycled water projects. Is that the intent of the paragraph?

Lines 404 to 430. The proposed Policy allows for measured, short-term degradation until such time as a salt/nutrient management plan is adopted. The interim period allows degradation of less than 10% for any project relative to the most recent five years of data available, which may not be sufficient to reasonably determine the assimilative capacity. The 10% allowance would provide uneven requirements for dischargers, as each proceeding project would have less assimilative capacity available in the basin.

If the water quality in a groundwater basin currently exceeds the water quality objectives prescribed by the applicable Basin Plan for constituents commonly associated with recycled water (e.g., total dissolved solids, nitrates, chlorides, *etc.*); then there is no more assimilative capacity for that particular set of constituents in that particular basin. The draft Policy should be revised to advise the Regional Water Boards and dischargers on options for addressing this situation.

Line 405. The term "multiple projects" needs clarification within the context of the proposed Policy. The section needs to more clearly identify what constitutes a "project" so that projects are not artificially separated into multiple projects in order to utilize a larger portion of the available assimilative capacity.

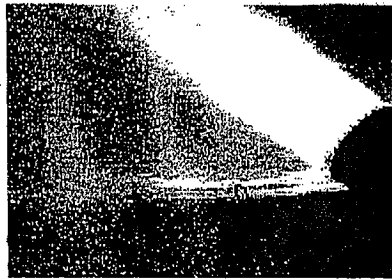
If you have any questions regarding these comments, please contact Ms. Julie Chan at (858) 637-5595 or via email at jchan@waterboards.ca.gov, or contact Mr. David Barker at (858) 467-4254 or via email at dbarker@waterboards.ca.gov.

ATTACHMENT 1: Region 9 Comments on Draft Water Recycling Policy

RECLAMATION

Managing Water in the West
 Southern California Regional Brine-Concentrate Management Study

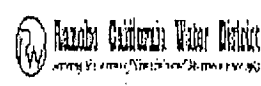
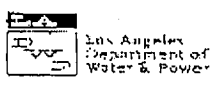
The Bureau of Reclamation and 14 southern California water and wastewater agencies have formed a partnership to examine brine concentrate issues in the region. Southern California faces reductions in State Water Project supply and long-term drought forecasts. Reclaiming and recycling wastewater and desalting coastal brackish ground water are providing reliable alternatives to imported water to meet local supply needs. These water supplies, however, require treatment to remove and dispose of brine concentrates - or salts. The focus of this study Phase 1 is on evaluating brine-concentrate management, end disposal alternatives, regulatory requirements, estimating and assessing constituents of concern, and recommending solutions to address current and forecasted disposal needs for coastal and inland areas.



Phase 1 recommendations could result in a study Phase 2 implementing one or more demonstration projects that address brine-concentrate management.

Study Partners:

- California Department of Water Resources
- City of San Bernardino Water Department
- City of San Diego Water Department
- County Sanitation District No. 2 of Los Angeles County
- Inland Empire Utilities Agency
- Lake Arrowhead Community Services District
- Los Angeles Department of Water and Power
- Metropolitan Water District of Southern California
- Orange County Sanitation District
- Otay Water District
- Rancho California Water District
- San Diego County Water Authority
- San Luis Watershed Project Authority
- Southern California Salinity Consortium
- West Basin Municipal Water District
- Western Municipal Water District



For more information, please contact Greg Kozyn at
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 27708 Jefferson Avenue, Suite 202
 Fontana, CA 92330

Phone: (951) 697-5316 or Email: greg.kozyn@blm.doe.gov