

# San Diego Regional Water Quality Control Board



## Executive Officer's Report

September 10, 2008

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# SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

## EXECUTIVE OFFICER'S REPORT

September 10, 2008

### **PART A**

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

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

On August 14, Chad Loflen attended the Orange County Transportation Authority's Environmental Cleanup Allocation Committee meeting. This technical committee will make recommendations on funding street and highway water-quality improvement projects using renewed Measure M funds. The committee discussed the results of recent catch basin surveys, the projected amount of available funds, and how to determine high priority areas for potential projects. In addition, the City of Los Angeles gave a presentation on their successful compliance with the Los Angeles Trash Total Maximum Daily Load (TMDL) through the retrofit of existing storm water catch basins. After conducting pilot projects and trash source studies, the City of Los Angeles was able to develop a retrofit catch basin design that did not add to operation and maintenance cost, met the TMDL requirements ahead of schedule, and was significantly less expensive than originally expected.

On Tuesday, August 26, Ben Neill attended the eighth annual Inland Erosion Control, Inc. erosion compliance seminar. This seminar provided a four-hour annual certification for preventing storm water pollution at construction sites. The guest speakers were Robert Patterson from Pulte Homes and Michael Harding, past president of the International Erosion Control Association and former director of San Diego State University's Soil Erosion Research Laboratory. Topics included U.S. EPA's nationwide enforcement cases against homebuilders, potential new requirements in State Board's draft construction permit, and proper implementation of erosion and sediment control practices.

On August 28, Chad Loflen and James Smith attended the Orange County Coastal Coalition Meeting in the City of Newport Beach. The meeting focused on beach sand replenishment and featured a presentation on regional sediment management by Heather Schlosser from the United States Army Corps of Engineers. Tom Bonigut, from the City of San Clemente, provided an overview of a proposed beach replenishment project that will maintain a sandy beach along the San Clemente Pier for the next 50 years. Topics of discussion regarding sediment management included urbanization, dams, hydromodification from storm and non-storm water flows, natural cliff erosion and the cost of replenishment. Those in attendance included representatives from the Santa Ana Regional Board, the County of Orange, municipalities within Orange County,

various water districts and the Surfrider Foundation. The next Orange County Coastal Coalition meeting is scheduled for September 25, 2008 at the Newport Beach public library.

On Thursday, August 28, 2008, Ben Neill attended the Riverside County Municipal Copermittees Technical Advisory Committee (TAC) meeting at the Riverside County Flood Control Office. Copermittees from both the San Diego Region (Santa Margarita Watershed) and the Santa Ana Region (Region 8) attend the monthly meetings. The Riverside County Flood Control Offices in Riverside will be retrofitted as a demonstration center with several Low Impact Development BMPs, such as porous pavement, rain gardens, bioswales, and bioretention cells. Pyrethroids have been identified as causing toxicity to *Hyallorella azteca* (fresh water invertebrate) within the Santa Margarita watershed. The Copermittees are investigating several measures to control the use of pyrethroids including public education, additional product labeling, and integrated pest management measures that will eliminate the need for pyrethroid based pesticides. Furthermore, the Riverside County Flood Control District will be seeking a wet weather exemption from water quality standards for all waterbodies designated as having a recreational beneficial use. The next scheduled TAC meeting will be October 23, 2008 at the Riverside County Flood Control District office.

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

### **1. Sanitary Sewer Overflows (SSO) June-July 2008** (*Joann Cofrancesco*) (*Attachment B-1*)

The following is a summary of the sewage spills that occurred during the period June and July 2008. Sewage Collection Agencies now report SSOs on-line at the State Water Resources Control Board's CIWQS database pursuant to the requirements of State Board Order 2006-0003-DWQ (*General Statewide Waste Discharge Requirements for Sewage Collection Agencies*). Reports on sewage spills are available on a real-time basis to the public from the State Board's webpage at: <http://www.waterboards.ca.gov/enforcement/index.html>

From June 1 to June 30, 2008, there were 14 public sanitary sewer overflows (SSOs) in the San Diego Region that were reported on-line at the State Board's CIWQS database. This included three spills of 1,000 gallons or more and five that reached surface waters, including storm drains. The combined total volume of reported sewage spilled from all publicly-owned collection systems for the month of June 2008 was 12,665 gallons.

From July 1 to July 31, 2008, there were 16 public sanitary sewer overflows (SSOs) in the San Diego Region that were reported on-line at the State Board's CIWQS database. This included three spills of 1,000 gallons or more and five that reached surface waters, including storm drains. The combined total volume

of reported sewage spilled from all publicly-owned collection systems for the month of July 2008 was 15,865 gallons.

In June and July 2008, 21 discharges of untreated sewage from private laterals were reported by the collection agencies on-line pursuant to the San Diego Regional Board Order R9-2007-0005 (*Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region*). This included two spills of 1,000 gallons or more and six that reached surface waters, including storm drains. The combined total volume of reported private lateral sewage discharges for the months of June 2008 and July 2008 was 4,383 gallons.

A total of 0.02 and 0.0 inches of rainfall were recorded at San Diego's Lindbergh Field for June 2008 and July 2008, respectively. For comparison, in June and July 2007, 36 SSOs and 23 private lateral sewage discharges were reported during a period of time when 0.0 inches of rainfall was recorded at Lindbergh Field.

Attached is a table titled "Sanitary Sewer Overflow Statistics", updated through July 30, 2008, which contains a summary of all SSOs by fiscal year (FY) from each agency since FY 2002-2003.

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

## 2. Enforcement Actions for August 2008 (*Jeremy Haas*)

The following is a summary of all enforcement actions taken during the month of August 2008. During this period the Regional Board initiated 17 enforcement actions (0 Notice of Noncompliance; 9 Notices of Violation (NOV); 2 Investigative Orders (IO); 1 Cleanup and Abatement Order (CAO); and 5 Complaints for Administrative Civil Liability (ACL).)

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/](http://www.waterboards.ca.gov/water_issues/programs/enforcement/)

Date	Action	Responsible Party / Facility Address
August 11, 2008	Notice of Violation (NOV) R9-2008-0099	City of Carlsbad & Techbilt Companies Faraday Avenue Extension and Carlsbad Oaks North Business Park, Agua Hedionda Channel
NOV R9-2008-0099 was issued for violations of two Clean Water Act Section 401 Certifications: (1) Certification 02C- 093 for the Faraday Avenue Extension and Carlsbad Oaks North Business Park project; and (2) Certification 06C-007 for the Agua Hedionda Channel Dredging Project. The violations in the NOV include: failure to implement and maintain post-construction best management practices; failure to implement mitigation; and, failure to submit reports as required by the two Certifications.		
August 12, 2008	NOV R9-2008-0098	Mr. James Ramsay and M and J Ramsay Corporation / Chevron Gasoline Station 27560 Jefferson Street, Temecula
Notice of Violation R9-2008-0098 was issued for failure to submit a Soil and Groundwater Investigation Workplan for the underground storage tank at 27560 Jefferson St. in Temecula by the due date, July 30, 2008, as required in Investigative Order R9-2008-0066.		
August 12 and 13, 2008	Notices of Violation	Multiple Parties, Underground Storage Tank Program
<p>Five Notices of Violation (NOVs) were issued for failure to provide electronic versions of groundwater monitoring reports as required in Investigative Orders. The following entities received NOVs:</p> <ol style="list-style-type: none"> <li>1. NOV R9-2008-0100: Metropolitan Water District, Skinner Water Filtration Plant, Metropolitan Water District, Winchester, Riverside County.</li> <li>2. NOV R9-2008-0101: Mr. Jack Ceccarelli and Mr. Jason Blum, Former EZ Serve Gas Station at 9305 Mission Gorge Road in Santee.</li> <li>3. NOV R9-2008-0106: Mr. Ed Mahr, Former Mahr's Texaco at 312 South Main Street in Fallbrook.</li> <li>4. NOV R9-2008-0107: Bianchi Family Trust, Former Bianchi Industry at 100 Calle Cortez in Temecula.</li> <li>5. NOV R9-2008-0109: Shell Oil Products, Shell Gas Station at 39614 Los Alamos Road in Murrieta.</li> </ol>		

August 14, 2008	NOV R9-2008-0103	Cunocar Financial Services; 425 25th St., San Diego
NOV R9-2008-0103 was issued for failure to implement directives of Investigative Order R9-2008-0008, including failure to initiate preliminary site assessment investigation and failure to provide a report within specified timeframes.		

August 14, 2008	Withdrawal and Reissuance of ACL Complaint 2008-0064	South Orange County Wastewater Authority (SOCWA)
<p>On June 27, 2008, the Regional Board issued ACL Complaint (ACLIC) No. 2008-0064 for effluent violations subject to MMPs. The effluent violations were attributed to four of the agencies that are members of the SOCWA joint powers authority and listed in Order R9-2006-0054. On August 14, 2008, the Regional Board withdrew and re-issued the Complaint individually for each of the member agencies. In addition, a new Complaint was issued for two alleged violations of effluent limitations of Order R9-2000-13 that were not included in the withdrawn Complaint.</p> <ol style="list-style-type: none"> <li>1. ACLIC R9-2008-0090: \$21,000 MMP - San Clemente Water Rec Plant;</li> <li>2. ACLIC R9-2008-0091: \$27,000 MMP - Chiquita Water Reclamation Plant;</li> <li>3. ACLIC R9-2008-0092: \$ 6,000 MMP - City of San Juan Capistrano Reverse Osmosis Water Treatment Plant;</li> <li>4. ACLIC R9-2008-0093: \$57,000 MMP - the South Coast Water District Groundwater Recovery Facility.</li> <li>5. ACLIC R9-2008-0094: \$6,000 MMP - the San Juan Creek Ocean Outfall</li> </ol> <p>Hearings are tentatively scheduled to be held at the Regional Board meeting on November 12, 2008.</p>		

August 21, 2008	Cleanup And Abatement Order (CAO) R9-2008-0036	Bulldog Concrete Pumping
<p>CAO R9-2008-0036 was issued in response to unauthorized discharges of concrete slurry into Chollas Creek from a vacant lot located on the 3300 block of Logan Avenue and Gregory Street in the City of San Diego (Chollas Creek Hydrologic Unit). The CAO requires the discharger to cleanup and abate existing and threatened pollution associated with the unauthorized discharge of waste by January 7, 2009 through the removal of solidified concrete slurry, revegetating the creek, and implementing erosion control management measures.</p> <p>On November 12, 2006, d.b.a Bulldog Concrete Pumping and Oscar Pereya, owner of Bulldog Concrete Pumping, pled guilty to three counts of violating Fish &amp; Game Code Section 5650(a) for discharging the concrete slurry to Chollas Creek pursuant to a plea agreement with the City of San Diego, City Attorney's Office. (Superior Court Case No. M982775CF). The plea agreement states that the defendant shall "comply with all reasonable requests of the involved agencies (Regional Water Quality and State Water Resources Control Boards, Army Corps of Engineers, California Fish and Game, and City of San Diego Storm Water Pollution Prevention Division)."</p>		

August 21, 2008	NOV R9-2008-0095	Dakota Ranch Development Co., LLC
<p>NOV R9-2008-0095 was issued for failing to remit \$312,600 ACL imposed by the Regional Board on August 8, 2007 (ACL Order R9-2007-0107). Dakota Ranch continues to be in violation of it's Section 401 Water Quality Certification 02C-064 for failing to create 0.26 acres of ephemeral stream channel within the City of Santee by September 30, 2004. The notice also informed Dakota Ranch that the Regional Board has assigned this matter to the Attorney General of the State of California to pursue judicial collection.</p>		

August 22, 2008	Investigative Order R9-2008-0102	Driscoll's West Boat Repair, Shelter Island Drive, San Diego
<p>Investigative Order R9-2008-0102 was issued to investigate a sheen observed in San Diego Bay adjacent to the Driscoll's West Boat Repair, which is currently undergoing significant reconstruction of its facility located at 2700 Shelter Island Drive, San Diego. The spill reports were first reported in July 2008 by the Office of Emergency Services and subsequent inspections were conducted by the Regional Board, Fish and Game, and the United States Coast Guard. The Order requires Driscoll to submit a technical report by November 14, 2008, containing the results of an investigation of the discharge and the effects of this discharge on the environment.</p>		



August 29, 2008	Investigative Order R9-2008-0112	Marine Corps Air Station (MCAS), Camp Pendleton
Investigative Order R9-2008-0112 was issued to investigate discharges of jet fuel found within a storm drain conveyance system on May 27, 2008 and potentially into the subsurface environment in the vicinity of MCAS, Camp Pendleton. The Order requires MCAS, Camp Pendleton to submit a technical report by December 19, 2008 containing the results of an investigation of the discharge and the effects of this discharge on the environment.		

### 3. Grants Update *(David Gibson and Laurie Walsh)*

The Regional Board is managing 22 projects worth approximately \$39.7 million in total project costs. The Regional Board Grant Managers will continue to provide close oversight of these grant funded projects and assist the grantees to ensure the success of their projects and conformance to the Grant Agreement terms and conditions.

**Grant Extensions Due to 2007 California Wildfires:** The 2007 wildfires damaged hundreds of acres of land in the San Diego Region. Many of the water quality monitoring sites that receive Grant funding were damaged or inaccessible after the 2007 fires causing delays to the Grant schedules. In response, the State Water Resources Control Board (State Water Board) will request from the Department of Finance (DOF) an extension to the bond appropriations deadline for Prop 13, Prop 40, and Prop 50 funds. State Water Board will ask DOF in January 2009 for an extension; this request should be heard by the State Water Board in February 2009. Of the 22 grants managed by the San Diego Regional Board, four will request extensions to their project completion schedules due to impacts from the wild fires.

### **Areas of Special Biological Significance (ASBS) Grant Program Prop 84**

The State Water Board received 24 eligible Concept Proposal applications, requesting a total of \$48.2 million for its \$32 million ASBS Grant Program. The ASBS Task Force met on July 2, 2008 to discuss the Concept Proposals. On July 15, applicants with the most competitive Concept Proposals were invited to develop Full Proposals. Full proposals are due to the State Water Board on September 10, 2008. The State and Regional Board Water Boards held teleconference for those applicants requesting one to discuss any questions they may have had on their full proposal submittals. Proposals submitted in the San Diego Region were by the City of San Diego and the City of Laguna Beach. Both were invited to submit full proposals. More information on the Proposition 84 ASBS Grant can be found at:

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/asbs/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/asbs/index.shtml)

**CALFED Water Quality Grant Program Solicitation**

The State Water Board received 14 Concept Proposals requesting \$17.4 million. Approximately \$4.2 million will be available to fund projects that restore and protect the municipal and domestic beneficial uses of water in the Delta and its tributaries through the control of the following drinking water pollutants of concern: organic carbon, bromide, salinity, nutrients, and pathogens. Five applicants have been invited to submit Full Proposals. The Full Proposal Solicitation Notice was released on August 20, 2008 and Full Proposal applications are due on September 30, 2008.

**CALFED Watershed Grant Program Solicitations to Implement Watershed Plans**

On August 6th, 2008, the State Water Board issued a focused solicitation for up to \$4 million of Proposition 50 Funds. Project(s) must be ready to proceed and help achieve one of the Watershed Program's goals to better define and quantify the impacts of community-based watershed management on natural resource conditions within the Bay-Delta System.

A successful project will:

- 1) Implement a suite of priority actions identified in an established watershed management plan,
- 2) Demonstrate readiness to complete the project within a two-year period,
- 3) Measure and analyze the effectiveness of the project in improving natural resource conditions in the Bay-Delta system, and
- 4) Illustrate the value of community-based watershed management.

**CALFED Watershed Grant Program for Riparian Buffer Sizing Tool**

The State Water Board issued a Request for Qualifications (RFQ) for up to \$500,000 to develop a decision support tool for local land use planners to adequately size riparian buffers. Complete applications are due on November 14th, 2008

**2009 Nonpoint Source Implementation Grant Program**

The State Water Board started accepting applications for the next round of the 319(h) Nonpoint Source (NPS) Implementation Grant Program. Approximately \$4.5 million is available for this Solicitation. The purpose of the program is to provide funds to restore and protect the beneficial uses of water throughout the State through the control of NPS pollution consistent with completed Total Maximum Daily Loads (TMDLs) or TMDLs under substantial development. Proposed projects must implement locally adopted watershed management plans that meet US EPA's criteria. Concept Proposal applications are due to the State Water Board on October 16, 2008.

**Small Community Wastewater Strategy**

The Small Community Wastewater Strategy (Strategy) was included in Resolution 2008-0048, Promoting Strategies to Assist Small and/or

Disadvantaged Communities with Wastewater Needs, which was adopted by the State Water Board on July 1, 2008. The Strategy provides an overview of the problems faced by small communities and proposed solutions to address those problems.

One of the goals outlined in the Strategy is to offer small and/or disadvantaged communities extended term financing as part of the State Revolving Fund (SRF) Program. Agenda Item No. 7, Consideration of a Resolution granting authority to the State Water Board's Executive Director to apply to the United States Environmental Protection Agency (US EPA) to implement an Extended Term Financing Program as part of the Clean Water State Revolving Fund (SRF) Program, was presented to the State Water Board at its July 15, 2008, meeting. The agenda item is available on-line at:

[http://www.waterboards.ca.gov/board\\_info/agendas/2008/July/071508mtg.shtml](http://www.waterboards.ca.gov/board_info/agendas/2008/July/071508mtg.shtml)

The Small Community Wastewater Strategy webpage is located on-line at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/small\\_community\\_wastewater\\_grant/strategy.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/small_community_wastewater_grant/strategy.shtml).

#### **Proposition 84 Storm Water Grant Program (SWGP)**

A Storm Water Advisory Task Force (SWATF) meeting was held on June 16, 2008. The next SWATF meeting is scheduled for September 15, 2008.

Information regarding the SWATF can be found at:

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/prop84/prop84\\_taskforce.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/prop84/prop84_taskforce.shtml).

Additional information on the Proposition 84 SWGP can be found at:

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/prop84/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/prop84/index.shtml).

#### **Water Recycling Funding Program (WRFP)**

The Water Recycling Funding Program Guidelines (Guidelines) amended July 2008 were adopted by the State Water Board on July 15, 2008. The State Water Board provides funding for the planning, design, and construction of water recycling projects. The purpose of these Guidelines is to provide the criteria and process for obtaining funding. Amendments clarified eligibility of costs and revise waiver of litigation rights language to conform to a previous State Water Board decision.

#### **2008 Urban Drought Assistance Grant Program**

The Department of Water Resources (DWR) has released the Proposition 50 2008 Urban Drought Assistance Grant Program Proposal Solicitation Package (PSP). The due date for proposal submittal was July 21, 2008.

Pursuant to the Governor's Executive Order declaring Drought conditions in the State, DWR is seeking proposals for immediate implementation of urban water

use efficiency projects to help urban communities cope with water shortages and drought conditions. This grant program will provide fast track financial drought assistance for urban water use efficiency projects.

DWR received 283 proposals requesting \$74,345,915 by the deadline of July 21, 2008. There were 201 proposals from Non-Disadvantaged Communities requesting \$56,955,150 and 82 proposals from Disadvantaged Communities requesting \$17,390,765. Due to the large number of eligible projects, need, and importance of implementation of these projects under current water shortages and drought conditions, DWR decided to increase the \$12 million to \$17 million to fund more eligible projects.

For more information about DWR's 2008 Urban Drought PSP and the application process visit website for DWR's Office of Water Use Efficiency:  
[www.owue.water.ca.gov/finance/index.cfm](http://www.owue.water.ca.gov/finance/index.cfm)

More information on the State Water Board administered grants and loan programs can be found at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans](http://www.waterboards.ca.gov/water_issues/programs/grants_loans)

#### 4. "No Drugs Down the Drain" Campaign (*Chiara Clemente*)

Everyday in California, unwanted prescription and non-prescription medications are disposed of in the sanitary sewer system. While this was once recommended practice to prevent unintended use, studies show that pharmaceuticals can pass through wastewater treatment facilities into receiving waters. In 2002, the U.S. Geological Survey reported that there were pharmaceutical compounds detected in 80% of waterways tested. Pharmaceuticals reach receiving waters either via direct disposal to the sewer system, or through normal human (and livestock) excretion. Pharmaceuticals that have not been metabolized (i.e. direct disposal) contribute higher doses to the receiving waters.

Because many of these compounds are designed to be effective in small doses, there is concern that they may have cumulative impacts on water quality and wildlife. There is also concern that pharmaceutical compounds in large concentrations may adversely affect the operations of biological wastewater treatment systems. Many pharmaceutical compounds in trace amounts cannot be removed through conventional wastewater treatment processes. Additional treatment processes would be extremely expensive, and often times infeasible. Therefore the best approach for minimizing the impacts to receiving waters from pharmaceutical compounds is source control.

To address this issue, a coalition of local, regional, state and federal agencies plans to conduct a one-week California-wide educational campaign, October 4-11, 2008, to educate the public that disposing of unused or expired medication down the drain is no longer advisable. The campaign, "No Drugs Down the

Drain!," will highlight to the public information on alternative disposal options. The recommended disposal option referenced in the campaign is through local "take-back" programs. The cities of San Diego, Imperial Beach, and Coronado already have existing take-back programs in place, and information is available to the public. Unfortunately, major pharmacy chains do not offer such a program because the US Drug Enforcement Administration regulations restrict the collection of controlled substances and narcotics without law enforcement involvement, and because non-controlled medication must still be disposed of by a licensed Medical Waste hauler, per the Medical Waste Management Act.

The San Diego Regional Water Quality Control Board, along with other Regional Boards, the State Water Resources Control Board, other State agencies, and the US EPA, is in support of this effort. The San Diego Regional Board plans to assist the campaign by 1) updating our website with a link to [www.nodrugdownthedrain.org](http://www.nodrugdownthedrain.org) which contains updated information on disposal methods and take-back locations, 2) drafting a resolution of support for the Regional Board to consider adopting at the October 8 meeting, during the week of the campaign, and 3) sending a letter to the sewerage agencies in the region, requesting that they assist in educating the public and sponsoring pharmaceutical "take-back" programs within their service areas.

#### 5. State Lands Commission Review of the Poseidon Desal Facility (*Chiara Clemente*)

On August 22, 2008 the State Lands Commission voted 3-0 to amend the lease agreement between the State and Cabrillo Power, in order to allow ocean intake and discharge pipes in Agua Hedionda Lagoon, Carlsbad, to be used for the Poseidon Resources desalination facility. The State Lands Commission generally agreed to the same conditions required by the California Coastal Commission with regard to both the Energy Minimization and Greenhouse Gas Reduction Plan (GHG Plan) and the Marine Life Mitigation Plan (MLMP), with a few notable exceptions. The GHG Plan approved by the State Lands Commission follows the same protocols for requiring offsets for the indirect emissions caused by electricity consumption; however, the State Lands Commission also requires that Poseidon offset direct emissions from estimated construction, transportation, and operations for the life of the project (30 years), and that those offsets (25,000 tons of carbon credits) be purchased prior to operation. The MLMP approved by the State Lands Commission follows the same timelines, protocols, and phasing adopted by the Coastal Commission for the development of the plan and the selection and construction of the site(s). The enhancements added by the State Lands Commission are largely regarding assurances that the mitigation will fully compensate for the entrainment and impingement impacts. Poseidon is required to provide a financial assurance in the amount of \$3.7 million for the Phase 1 mitigation (37 acres) and that assurance will be released based upon Poseidon attaining performance standards at the 95% confidence level. The performance standards will be developed as part of the final plan (required by both Commissions) and agreed to by the Executive Officers of both Commissions. Therefore, marine life mitigation

for impingement and entrainment from the proposed facility remains proposed as 37 acres with project start-up, and 18.4 acres thereafter, based upon decreased (or cessation) of operations by Encina Power Plant.

Regional Board Resolution R9-2008-0039 requires Poseidon to "submit to the Regional Board Executive Officer, for approval by the Regional Board, a revised (Flow Entrainment & Impingement Minimization) Plan" that addresses concerns contained in the Regional Board Order. The revised Plan is due to the Regional Board in October. On May 8, 2008, Surfrider filed a petition to appeal the adoption of Regional Board Resolution R9-2008-0039 to the State Water Resources Control Board on the basis that impacts could be minimized further with alternative technology. On August 19, the State Board dismissed the case.

#### 6. Water Quality Effects of Post-Fire Runoff *(Ben Neill)*

On August 18 and 19, the Southern California Coastal Water Research Project (SCCWRP) hosted a workshop titled "Water Quality Effects of Post-Fire Runoff". The workshop was sponsored by the County of San Diego and the Stormwater Monitoring Coalition. The workshop was intended to summarize the current status of the science on post-fire water quality effects, identify important elements for assessing post-fire water quality effects, and provide initial recommendations for development of a regional post-fire runoff monitoring program. The workshop was facilitated by Eric Stein and Jeff Brown of SCCWRP. Laurie Walsh, Cynthia Gorham-Test, Ben Neill, and Bruce Posthumus attended on behalf of the San Diego Regional Board. Other attendees included representatives from the State Board, Los Angeles Regional Board, southern California local governments, academia, consultants, US Navy, US Geological Survey and US Forestry Service.

Wildfire is a natural occurrence in the southern California ecosystem, although human activities have resulted in changes in wildfire frequencies and other characteristics. Post-fire storm flows are typically characterized by modified hydrological conditions, increased sediment loads, higher concentrations of nutrients and metals, and elevated pH. Although the potential water quality effects are detrimental, post-fire runoff monitoring is rarely conducted due to the unpredictability of post-fire storm events and a lack of funding. When conducted, post-fire runoff monitoring tends to be uncoordinated and inconsistent, leaving gaps in the monitoring data. Post-fire runoff can complicate evaluation of the characteristics and effects of runoff from un-burned areas. It can also complicate evaluation of compliance with regulatory requirements.

SCCWRP's workshop included three breakout groups to recommend improvements to post-fire sample design, implementation and mobilization, and funding and communication coordination. SCCWRP will take the input from the workshop and report on recommendations to include in a regional monitoring program. A future workgroup will be convened to assist in this report.

7. State Route 241 Foothill South Toll Road Extension, Orange County (Mariah Mills)

The Regional Board members have previously requested periodic updates on the proposed southerly extension of State Route 241 - a toll road known as the Foothill Transportation Corridor, located in southern Orange County. The project is also commonly referred to as the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) and as the Foothill Transportation Corridor-South (FTC-South). The Foothill/Eastern Transportation Corridor Agency (TCA), a Joint Powers Authority, is the project sponsor. The planned toll road extension is approximately 16 miles long and includes approximately 0.8 miles of improvements on Interstate 5. The proposed roadway includes four general-purpose travel lanes, two in each direction, for the entire length of the corridor. The planned alignment would connect Interstate 5 at San Onofre State Beach with the existing portion of SR-241 at Oso Parkway in the Coto de Caza area of Orange County. An aerial map of the alignment is available on the TCA web page at:

[http://www.tcagencies.com/home/SOCTIIP%20Alignments%2011x17\\_Rev\\_A.pdf](http://www.tcagencies.com/home/SOCTIIP%20Alignments%2011x17_Rev_A.pdf)

The TCA applied to the Regional Board for a Section 401 water quality certification for discharges of fill to federal waters and requested waste discharge requirements (WDRs) for discharges of fill to non-federal waters of the State in June 2006. In response, the Regional Board Executive Officer has issued TCA four Denial without Prejudice letters, the latest on February 6, 2008, requesting additional information regarding the adverse effects from the proposed temporary and permanent discharge of fill into 48,263 linear feet (17.44 acres / 9.14 miles) of waters of the State. To date, TCA has failed to adequately address outstanding concerns regarding proposed habitat mitigation, the runoff management plan, water quality mitigation measures in the project's environmental impact report, water quality monitoring and the *State Water Resources Control Board Resolution 68-16, Statement of Policy with Respect to Maintaining High Quality Waters in California*.

On August 20, 2008, TCA submitted a proposed water quality monitoring plan for the project. The document lays out a plan to monitor constituents of concern at San Onofre Creek, San Mateo Creek, Christianitos Creek and San Juan Creek for both pre- and post-construction phases of the project. The Regional Board has not yet completed review of the plan. TCA has not submitted any other information since meeting with Regional Board staff on June 27, 2008.

On February 6, 2008, the California Coastal Commission (CCC) voted to deny the consistency certification for the project. TCA has appealed the CCC decision to the Secretary of Commerce. A public hearing regarding the appeal has been scheduled for September 22, 2008 in O'Brien Hall at the Del Mar Fairgrounds, located at 2260 Jimmy Durante Boulevard, Del Mar, CA 92014. The hearing will begin at 10:30 a.m. and end at 8:30 p.m. Members of the public, elected

officials, and individuals representing organizations or tribes may give oral testimony at the hearing.

Anyone wishing to provide oral testimony at the hearing must submit a written request via United States mail or commercial carrier (Federal Express/UPS/Airborne Express or similar means) to NOAA no later than September 12, 2008. Requests received after close-of-business on September 12, 2008 or requests submitted via e-mail, facsimile, or voicemail will **not** be considered. The written request must be sent to: Thomas Street, Attorney Advisor, NOAA Office of General Counsel for Ocean Services, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910. More information regarding the submittal of a request to speak and the consistency appeal process is online at <http://www.ogc.doc.gov/czma.nsf/>.

Additional information about the proposed project was provided in the September 2006, June 2007, October 2007, and January 2008 and July 2008 Executive Officer's Reports.

**8. San Diego Regional Board Completes Backlog of Mandatory Minimum Penalties (MMP) to Comply with Statewide Enforcement Initiative** (*Jeremy Haas and Mark Alpert*)

In August 2008, the San Diego Regional Board became the first Region to address all its outstanding mandatory minimum penalties (MMPs) with enforcement actions. As reported in the May 2008 Executive Officer's Report, reducing the backlog of MMPs required by CWC Section 13385 has become a high priority of the State and Regional Water Boards. To reduce the statewide backlog, the State and Regional Boards launched a statewide initiative for MMP enforcement in July 2008, which implements a somewhat streamlined process to resolve outstanding MMP violations that occurred between January 1, 2000, and December 31, 2007. The MMP Initiative has two primary goals: 1) To validate the MMP information in the statewide compliance database (CIWQS) to ensure that all the violations and related enforcement actions are accurately reflected; and 2) To eliminate the MMP enforcement backlog by December 31, 2008. When the Initiative began, CIWQS reported approximately 7200 violations through December 31, 2007 without enforcement.

Since May 2008, the Assistant Executive Officer issued nine Complaints for Administrative Civil Liability containing recommended MMPs. When dischargers do not contest the alleged violations and agree to pay the recommended liability in the Complaint, Tentative Orders imposing MMP liability may be brought for the Board's consideration at the discretion of the Executive Officer. Public hearings will be scheduled for those dischargers that contest imposition of liability. We expect all to be resolved by the end of the calendar year.

**Background on MMP authority:**

Since January 2000, California Water Code (CWC) Section 13385 requires MMPs for certain violations of effluent limitations established in National Pollutant



Discharge Elimination System (NPDES) requirements for discharges to waters of the US, which include most surface waters. NPDES requirements commonly issued in this region are for discharges from: 1) wastewater treatment plants; 2) extracted groundwater (e.g., for construction or cleanup activities); 3) utility vaults; 4) hydrostatic (potable water); and 5) other industrial processes.

For violations that are subject to MMPs, CWC Sections 13385(h) and (i) require the Regional Board to either assess an ACL for the minimum of \$3,000 per applicable violation or use its discretion to assess liability for an amount higher than the mandatory minimum based on consideration of factors established in the CWC. Pursuant to CWC Section 13385(l), the Regional Board, with concurrence of the discharger, may direct a portion of the MMP penalty amount to be expended on a supplemental environmental project in accordance with the State Water Board's water quality enforcement policy.

9. Environmental Impact Report for the Proposed Gregory Canyon Landfill (*Carol Tamaki and Bob Morris*) (Attachment B-9)

An article in the San Diego Union-Tribune (see attachment B-9) on August 23, 2008 reported on the status of the environmental impact report (EIR) for the proposed Gregory Canyon Landfill. The Regional Board is in the process of developing tentative waste discharge requirements (WDRs) for the proposed landfill. The Regional Board cannot take action on the tentative WDRs until an addendum to the EIR addressing recycled water use is deemed adequate by the Superior Court.

According to the article, on October 17, 2008, Superior Court Judge Robert Dahlquist will hold a hearing to consider whether or not the addendum to the revised EIR adequately addresses the impacts to existing and future customers of the Olivenhain Municipal Water District of recycled water deliveries to the proposed landfill. If Judge Dahlquist rules that the addendum adequately addresses the impacts, Gregory Canyon Ltd. will be free to pursue the permits it needs, including the waste discharge requirements, for the construction and operation of the proposed landfill. Whatever the judge's ruling, an appeal could be filed.

10. October 14, 2008 Public Workshop and CEQA Scoping Meeting for Total Maximum Daily Loads (TMDLs) for the Mouths of Paleta, Chollas, and Switzer Creeks (*Dave Gibson and Lisa Honma*)

On October 14, 2008, the Regional Board will conduct a Public Workshop and CEQA Scoping Meeting for TMDLs for toxic pollutants in sediment for the mouths of Paleta (Seventh Street Channel), Chollas, and Switzer Creeks in San Diego Bay. The impaired water bodies receive runoff from the communities of San Diego, La Mesa, Lemon Grove, Chula Vista, and National City. The TMDLs are needed to establish limits to achieve water quality objectives and eventually to restore beneficial uses for these impaired water bodies. TMDLs for polychlorinated biphenyls (PCBs), polycyclic aromatic hydrocarbons (PAHs), and chlordane (a pesticide) are being developed for the mouths of Paleta, Chollas,

and Switzer Creeks in San Diego Bay. A TMDL for lindane (a pesticide) is also being developed for the mouth of Switzer Creek. More information on the TMDLs can be found at:

[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/tmdls/sediment\\_toxicity.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/tmdls/sediment_toxicity.shtml)

At the workshop, the Regional Board will present receiving water modeling results and the proposed TMDLs to inform the public and receive input on implementation plan development. The Regional Board will also conduct a CEQA Scoping meeting to receive comments on the scope of issues that should be addressed in the environmental documents prepared for the project. The Workshop and CEQA Scoping Meeting are significant steps to receive public participation. Public notification was distributed through newspaper publication, email subscription notification to the San Diego Bay Marine Sediment TMDLs and Board Meetings Lists, and posting on the Regional Board's website: [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/tmdls/docs/tmdl\\_reports/notice\\_pubwkshp\\_ceqa\\_10\\_14\\_08.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/tmdls/docs/tmdl_reports/notice_pubwkshp_ceqa_10_14_08.pdf)

11. NPDES Permit Issuance Schedule FY 2008/09 *(David Barker) (Attachment B-!!)*

As authorized by the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) Permit Program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are typically discrete conveyances such as pipes or man-made ditches. Since its introduction in 1972, the NPDES Program has been responsible for significant improvements to our Nation's water quality.

The NPDES Program consists of various components including:

- NPDES Base Program for municipal and industrial facilities
- Federal Facilities
- General Permitting
- Pretreatment Program
- Biosolids

The U.S. Environmental Protection Agency (USEPA) has authorized California's State and Regional Water Board's to implement all except the Biosolids component. Under the NPDES Program, all facilities that discharge pollutants from any point source into waters of the United States are required to obtain a permit. The State may issue either an individual or a general permit both of which provide two levels of control: technology-based limits and water quality-based limits.

NPDES Permits are issued for a fixed duration of up to five years and must be reissued at the end of the five year term. In addition applications for new discharges or changes to existing NPDES permits are submitted each year to the Regional Water Boards for processing.

There are currently 64 existing NPDES permits regulating waste water and /or storm water discharges to surface waters in the San Diego Region. There are a total of 23 NPDES permit actions scheduled for consideration by the San Diego Water Board during the current fiscal year (FY 2008-09) as summarized in Attachment B-11.

### **PART C**

#### **STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION**

1. New Legislation Authorizes Ban on Residential Water Softeners (*Cheryl Prowell*) Assembly Bill No. 2270 (AB 2270), passed by the legislature on August 12, 2008, authorizes local agencies that maintain a community sewer system to take action to control "residential salinity inputs" to the sewer system to protect the quality of the waters of the state. This legislation would allow local agencies to ban the use of residential water softeners. The local agency can take action if the appropriate regional board makes a finding that the control of residential salinity input will contribute to the achievement of water quality objectives. The legislation is before the Governor for consideration and approval.

Brine waste from residential water softeners has for a long time been a significant source of salts to community sewer systems. An increasing number of California residents have installed these water softeners in their homes to reduce the problems caused by hard water. Hard water causes scaling on fixtures, and can decrease the effectiveness of detergents. The water softeners use rock salt in an ion exchange process that decreases the hardness of tap water. A byproduct of the process is brine waste that is typically discharged into community sewer systems, increasing the salinity of the water treated at recycled water treatment plants. The higher the salinity of recycled water, the more its usefulness is limited for irrigation purposes. Salts are also expensive to remove during the recycled water treatment process. Thus, the brine wastes from residential water softeners can increase the costs and/or lower the usability of recycled water. One alternative to self-regenerative water softeners is commercial exchange tank softener services. These centralized off-site facilities don't discharge brine waste into the sewer system.

AB 2270 also revises the frequency from quarterly to annually that water recycling facilities must report to the SWRCB on the amount of recycled water delivered or distributed (Water Code section 13526.1). If the Governor approves the bill, the Regional Board will need to revise the reporting frequency from quarterly to annually in waste discharge requirements for recycled water facilities. The Regional Board will also need to investigate whether the control of residential salinity input will contribute to the achievement of water quality objectives in the region, and if so, make appropriate findings. The Regional Board could make the requisite findings in any of the following actions after a

public hearing: Basin Plan amendments, waste discharge requirements, master reclamation permits, water recycling requirements, or cease and desist orders.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

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

September 10, 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>September 10, 2008</b>	<b>OCTOBER 8, 2008 RB MEETING</b> San Diego Regional Board Office									
	US NAVY GRAVING DOCK SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	20%	0%	October 8, 2008	No	NPDES Workplan FY 2008-09	Kelley
	SAN ELIJO JOINT POWERS AUTHORITY DISCHARGE TO OCEAN OUTFALL	Consideration of ACL Settlement	NA	NA	20%	0%	October 8, 2008	No	Mandatory Minimum Penalty ACL \$9,000	Haas
	CITY OF ESCONDIDO HARRF FACILITY DISCHARGE TO OCEAN OUTFALL	Consideration of ACL Settlement	NA	NA	100%	0%	October 8, 2008	No	Mand. Min. Penalty and ACL \$1,797,150	Stewart
	PROMENADE MALL DEVELOPMENT CORP. GROUNDWATER DISCHARGE TO MISSION BAY	Hearing: Admin. Civil Liability	NA	NA	0%	0%	October 8, 2008	No	Mandatory Minimum Penalty ACL \$15,000	Haas
	KINDER MORGAN MISSION VALLEY TERMINAL DISCHARGE TO MURPHY CANYON CREEK	Hearing: Admin Civil Liability	NA	NA	0%	0%	October 8, 2008	No	ACL/Mand. Minimum Penalty ACL \$229,000	Haas
	WILLIAM MORITZ PROPERTY AT 14272 JEROME STREET POWAY SAN DIEGO COUNTY	Hearing: Cleanup Abatement Order	NA	NA	100%	0%	October 8, 2008	No		Means
	CONSTRUCTED SEAWALL AT FIRST ST. CORONADO DEWATERING DISCHARGE TO SAN DIEGO BAY	Hearing: Admin. Civil Liability	NA	NA	50%	0%	October 8, 2008	No	Mandatory Minimum Penalty ACL \$24,000	Melbourn
	CITY OF SAN DIEGO CONVENTION CENTER DEWATERING DISCHARGE TO SAN DIEGO BAY	Consideration of ACL Settlement	NA	NA	90%	0%	October 8, 2008	No		Cofrancesco
	NPDES PERMIT RESCISSIONS--4 DAIRIES AND S&S FARMS	NPDES Permit Rescission	100%	100%	0%	0%	October 8, 2008	Yes		Kelley
	GENERAL WDRs FOR INSITU TREATMENT OF GROUNDWATER FOR SAN DIEGO REGION	WDRs Adoption	NA	100%	100%	50%	October 8, 2008	Yes	WDRs for Insitu (in place) treatment of groundwater	Yu
	<b>NOVEMBER 12, 2008 RB MEETING</b> San Diego Regional Board Office									
	UCSD SCRIPPS INSTITUTE OF OCEANOGRAPHY AREA OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS) PACIFIC OCEAN	NPDES Permit Revision	NA	100%	90%	0%		No	Discharge to ASBS Pacific Ocean	Mata
	<b>DECEMBER 10, 2008 RB MEETING</b> San Diego Regional Board Office									
	NPDES GENERAL PERMIT HYDROSTATIC TESTING AND POTABLE WATER DISCH.	NPDES Permit Reissuance	NA	100%	20%	0%	December 10, 2008	No	NPDES Workplan FY 2006-07	Mata
	PADRE DAM MUNICIPAL WATER DISTRICT SANTEE RECLAMATION FACILITY	NPDES Permit Reissuance	100%	90%	20%	0%	December 10, 2008	No	NPDES Workplan FY 2008-09	Valdovinos

**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
September 10, 2008	CARLSBAD ENERGY CENTER, LLS POWER BRINE DISCHARGE TO PACIFIC OCEAN	NPDES Permit Adoption					December 10, 2008	No		Mata
	TUJANA RIVER WATERSHED- WORKSHOP ON REMOVAL OF TRASH AND SEDIMENT	Workshop	NA	NA	0%	0%	December 10, 2008	No		Robertus
	2008 FED. CLEAN WATER ACT SEC. 303(d) LIST OF WATER QUALITY SEGMENTS	Adoption: CWA 303(d) WQ List	NA	NA	0%	0%	December 10, 2008	No		Gibson
	OCEAN DISCHARGER RECEIVING WATER MONITORING PROGRAM UPDATES	NPDES Permits Revisions	NA	50%	0%	0%	December 10, 2008	No		Posthumus
	<b>JANUARY 14, 2009 RB MEETING</b> San Diego Regional Board Office									
	CITY OF SAN DIEGO PT. LOMA OCEAN OUTFALL DISCHARGE TO PACIFIC OCEAN	Hearing: NPDES Permit Reissuance	100%	80%	0%	0%	January 14, 2009	No	Hearing on Variance Decision and NPDES Permit	Valdovinos
	<b>FEBRUARY 11, 2009 RB MEETING</b> San Diego Regional Board Office									
	US NAVY- NAVAL BASE PT. LOMA SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	80%	0%	February 11, 2009	No	NPDES Workplan FY 2007-08	Rodriguez
	US NAVY-NAVAL BASE SAN DIEGO SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	80%	0%	February 11, 2009	No	NPDES Workplan FY 2007-08	Rodriguez
	US NAVY-NAVAL BASE CORONADO SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	80%	0%	February 11, 2009	No	NPDES Workplan FY 2007-08	Rodriguez
	NASSCO/GENERAL DYNAMICS CORP. SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	80%	0%	February 11, 2009	No	NPDES Workplan FY 2007-08	Rodriguez
	BAE SYSTEMS SAN DIEGO SHIP REPAIR SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	80%	0%	February 11, 2009	No	NPDES Workplan FY2007-08	Rodriguez
	<b>MARCH 11, 2009 RB MEETING</b> San Diego Regional Board Office									
	NPDES GENERAL DE MINIMIS DISCHARGES PERMIT SAN DIEGO REGION	NPDES Permit Adoption	0%	0%	0%	0%	March 11, 2009	No		Mata
	<b>UNSCHEDULED ACTION ITEM</b>									
	ORANGE COUNTY MUNICIPAL STORM WATER PERMIT	NPDES Permit Reissuance	100%	80%	80%	0%		No	Pending resolution of issues raised by USEPA	Smith





SANITARY SEWER OVERFLOW STATISTICS (Updated through July 31, 2008)

SEWAGE COLLECTION AGENCY	SYSTEM SIZE <sup>B</sup> Miles	NO. OF SEWAGE SPILLS (LISTED BY FISCAL YEAR (FY) - JULY 1 THROUGH JUNE 30)							SPILLS PER 100 MILES (LISTED BY FY)							SPILL VOLUME 2008-09 GAL	SPILL VOLUME 2007-08 GAL		
		02-03	03-04	04-05	05-06	06-07	07-08	08-09	02-03	03-04	04-05	05-06	06-07	07-08	08-09				
		ORANGE COUNTY:																	
EL TORO WD	65.1	1	3	3	2	2	1	0	0	0	0	0	0	0	0	0	0	0	20
EMERALD BAY SERVICE DISTRICT	6.5	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	10
IRVINE RANCH WD	36.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
LAGUNA BEACH, CITY OF	99.5	27	8	12	6	8	4	0	0	0	0	0	0	0	0	0	0	0	138,300
MOULTON NIGUEL WD	530.0	1	2	5	1	1	2	0	0	0	0	0	0	0	0	0	0	0	1,150
SAN CLEMENTE, CITY OF	185.0	7	2	7	5	7	3	1	0	0	0	0	0	0	0	0	0	0	1,975
SAN JUAN CAPISTRANO, CITY OF	548.3	0	1	6	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
SANTA MARGARITA WD	702.0	4	5	7	4	4	6	0	0	0	0	0	0	0	0	0	0	0	528,134
SOUTH COAST CWD	138.2	8	7	10	3	2	1	1	1	1	1	0	0	0	0	0	0	0	40
TRABUCO CANYON WD	47.0	0	1	3	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
RIVERSIDE COUNTY:																			
EASTERN MWD	1,811.0	3	7	1	3	11	5	0	0	0	0	0	0	0	0	0	0	0	91,852
ELSINORE VALLEY MWD	79.6	0	1	1	1	0	0	1	0	0	0	0	0	0	0	0	0	0	10,100
MURRIETA MWD	200.0	c	1	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	500
RANCHO CA WD	81.0	0	1	1	1	5	1	0	0	0	0	0	0	0	0	0	0	0	151,000
SAN DIEGO COUNTY:																			
22ND DISTRICT AGRICULTURAL ASSOCIATION <sup>F</sup>	2.7	N/A	N/A	N/A	N/A	1	1	0	0	0	0	0	0	0	0	0	0	0	30
BUENA SANITARY DISTRICT	197.9	2	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CALIFORNIA DEPARTMENT OF CORRECTIONS <sup>F</sup>	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0
CALIFORNIA STATE UNIVERSITY, SAN MARCOS <sup>E</sup>	N/A	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CARLSBAD MWD	410.8	6	6	17	12	21	7	1	0	0	0	0	0	0	0	0	0	0	7,181
CHULA VISTA, CITY OF	460.6	3	1	13	1	3	3	0	0	0	0	0	0	0	0	0	0	0	1,750
CORONADO, CITY OF	46.9	2	5	13	11	13	6	0	0	0	0	0	0	0	0	0	0	0	170
DEL MAR, CITY OF	30.8	7	1	5	6	1	5	1	0	0	0	0	0	0	0	0	0	0	344
EL CAJON, CITY OF	195.0	3	0	3	0	3	5	0	0	0	0	0	0	0	0	0	0	0	240
ENCINITAS, CITY OF	119.0	6	1	5	0	1	2	0	0	0	0	0	0	0	0	0	0	0	675
ESCONDIDO, CITY OF	370.7	3	2	3	3	6	4	0	0	0	0	0	0	0	0	0	0	0	1,344
FAIRBANKS RANCH COMM SERV DIST	15.5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FALLBROOK PUBLIC UTILITY DIST	76.6	22	9	12	8	3	2	0	0	0	0	0	0	0	0	0	0	0	825
IMPERIAL BEACH, CITY OF	44.2	14	2	10	4	5	0	0	0	0	0	0	0	0	0	0	0	0	0
LA MESA, CITY OF	155.0	3	4	2	0	0	4	0	0	0	0	0	0	0	0	0	0	0	1,210
LEMON GROVE, CITY OF	62.5	4	4	3	0	0	1	0	0	0	0	0	0	0	0	0	0	0	30
LEUCADIA CWD	207.0	6	1	6	4	1	1	0	0	0	0	0	0	0	0	0	0	0	300
NATIONAL CITY, CITY OF	97.9	1	2	1	4	1	1	0	0	0	0	0	0	0	0	0	0	0	15,000
OCEANSIDE, CITY OF, WTR UTIL DEP	475.0	23	22	17	7	13	12	0	0	0	0	0	0	0	0	0	0	0	108,566

**SANITARY SEWER OVERFLOW STATISTICS (Updated through July 31, 2008)**

SEWAGE COLLECTION AGENCY	SYSTEM SIZE <sup>B</sup> Miles	NO. OF SEWAGE SPILLS (LISTED BY FISCAL YEAR (FY) - JULY 1 THROUGH JUNE 30)							SPILLS PER 100 MILES (LISTED BY FY)							SPILL VOLUME 2008-09 GAL	SPILL VOLUME 2007-08 GAL
		02-03	03-04	04-05	05-06	06-07	07-08	08-09	02-03	03-04	04-05	05-06	06-07	07-08	08-09		
<b>SAN DIEGO COUNTY (continued):</b>																	
OLIVENHAIN MWD	35.5	2	0	3	0	1	1	0	12.5	0.0	18.8	0.0	0.0	2.8	0.0	720	720
OTAY MWD	81.6	3	1	0	1	1	1	1	3.5	1.2	0.0	1.2	1.2	1.2	1.2	60	60
PADRE DAM MWD	246.0	3	3	1	1	2	1	0	2.0	2.0	0.7	0.7	0.4	0.4	0.0	2	2
PAUMA VALLEY COMM SERVICE DIS	11.5	0	0	0	1	0	0	0	0.0	0.0	0.0	12.3	0.0	0.0	0.0	0	0
POWAY, CITY OF	219.0	5	3	1	4	2	1	0	2.9	1.8	0.6	2.4	0.5	0.5	0.0	13,200	13,200
RAINBOW MWD	56.0	2	6	2	1	1	2	0	3.7	11.1	3.7	1.8	1.8	3.6	0.0	0	14,700
RAMONA MWD	134.0	2	2	4	2	3	1	0	2.4	2.4	4.8	2.4	0.7	0.7	0.0	0	20
RANCHO SANTA FE COMM SERV DIST	78.0	1	0	2	0	0	0	0	1.9	0.0	3.9	0.0	0.0	0.0	0.0	0	0
SAN DIEGO CO, PUBLIC WORKS	289.9	11	2	4	5	3	6	0	2.9	0.5	1.1	1.3	0.7	2.1	0.0	0	2,310
SAN DIEGO, CITY OF, MWWD	5,004.0	193	115	95	71	63	87	7	6.7	4.0	3.3	2.5	1.7	1.7	0.1	4,813	490,815
SAN DIEGO STATE UNIVERSITY <sup>E</sup>	9.0	N/A	N/A	N/A	N/A	1	0	0	N/A	N/A	N/A	N/A	0	0.0	0.0	0	0
SOLANA BEACH, CITY OF	45.0	1	6	1	0	3	1	0	1.9	11.5	1.9	0.0	0.0	2.2	0.0	0	1,000
UNIVERSITY OF CALIFORNIA, SAN DIEGO <sup>F</sup>	30.0	N/A	N/A	N/A	N/A	1	2	0	N/A	N/A	N/A	N/A	3,333	6.7	0.0	0	30
USMC BASE, CAMP PENDLETON	217.0	23	14	14	15	24	24	2	11.9	7.2	7.2	7.7	8.3	11.1	0.9	199	58,529
US NAVY	122.8	12	11	0	10	8	2	0	9.8	9.0	0.0	8.1	11.4	1.6	0.0	0	0
US MARINE CORPS RECRUIT DEPOT <sup>F</sup>	6.5	N/A	N/A	N/A	N/A	1	3	0	N/A	N/A	N/A	N/A	15,385	46.2	0.0	0	202
VALLEJITOS WD	260.0	5	4	9	4	1	2	0	2.5	2.0	4.5	2.0	0.5	0.8	0.0	0	14
VALLEY CENTER MWD	70.0	3	1	0	0	1	2	0	6.3	2.1	0.0	0.0	1.4	2.9	0.0	0	200
VISTA, CITY OF	416.8	4	7	15	5	4	4	0	2.0	3.5	7.6	2.5	1.0	1.0	0.0	0	5,095
WHISPERING PALMS COMM SERV DIS	25.0	1	0	0	0	0	0	0	5.8	0.0	0.0	0.0	0.0	0.0	0.0	0	0
<b>REGION 9 TOTAL</b>	14,855	427	275	266	201	214	219	16								153,388	1,637,263
<b>AVERAGE<sup>1</sup></b>									4.4	2.9	2.8	2.1	1.4	1.5	0.1		
<b>STANDARD DEVIATION<sup>2</sup></b>									7.0	3.4	4.4	2.6	3.0	8.5	0.5		
<b>MEDIAN<sup>3</sup></b>									2.4	2.0	2.5	1.0	0.6	1.1	0.0		

<sup>A</sup> As of January 1, 2007 data reflects certified reports submitted on-line as required by State Board Order No. 2006-003-DWQ (General Statewide Waste Discharge Requirements for Collection Agencies) and Regional Board Order No. R9-2007-0005 (Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region)

<sup>B</sup> Most of the Agencies' System Sizes are based on the online Collection System Questionnaires. The System Sizes for California State University San Marcos, US Navy, and California Department of Corrections are based on the 2003 questionnaire or are not available (N/A) because these agencies have not completed the online Collection System Questionnaires. The System Sizes for El Toro Water District and Irvine Ranch Water District are based on the 2003 questionnaire because the online Collection System Questionnaires for these agencies includes the sewage collection system in Region 8 and 9. The System Sizes includes laterals that the agencies are responsible for and may not have been included in past reports.

<sup>C</sup> Included with Eastern Municipal Water District

<sup>E</sup> These agencies were not regulated prior to January 2007 and thus do not have any sewage spill history from July 2002 to December 2006.

<sup>1</sup> The average is the sum of all values divided by the number of values.

<sup>2</sup> In a normally distributed set of values, 68% of the values are within one standard deviation either above or below the average value.

<sup>3</sup> The median is the middle value in a set; half the values are above the median, and half are below the median.

**PRIVATE LATERAL SEWAGE DISCHARGES (Updated through July 31, 2008)**

SEWAGE COLLECTION AGENCY	NO. OF PRIVATE SPILLS <sup>D</sup>	VOLUME OF PRIVATE SPILLS 2008-09	NO. OF PRIVATE SPILLS <sup>D</sup>	VOLUME OF PRIVATE SPILLS 2007-08
	08-09	GAL	07-08	GAL
<b>ORANGE COUNTY:</b>				
EL TORO WD	0	0	0	0
EMERALD BAY SERVICE DISTRICT	0	0	0	0
IRVINE RANCH WD	0	0	0	0
LAGUNA BEACH, CITY OF	0	0	4	30
MOULTON NIGUEL WD	0	0	3	620
SAN CLEMENTE, CITY OF	0	0	7	769
SAN JUAN CAPISTRANO, CITY OF	0	0	0	0
SANTA MARGARITA WD	0	0	0	0
SOUTH COAST CWD	0	0	5	240
TRABUCO CANYON WD	0	0	0	0
<b>RIVERSIDE COUNTY:</b>				
EASTERN MWD	0	0	3	505
ELSINORE VALLEY MWD	0	0	0	0
MURRIETA MWD	0	0	0	0
RANCHO CA WD	0	0	0	0
<b>SAN DIEGO COUNTY:</b>				
22ND DISTRICT AGRICULTURAL ASSOCIATION <sup>E</sup>	0	0	0	0
BUENA SANITARY DISTRICT	0	0	3	657
CALIFORNIA DEPARTMENT OF CORRECTIONS <sup>E</sup>	0	0	0	0
CALIFORNIA STATE UNIVERSITY, SAN MARCOS <sup>E</sup>	0	0	0	0
CARLSBAD MWD	5	106	15	1,770
CHULA VISTA, CITY OF	1	100	17	3,230
CORONADO, CITY OF	0	0	5	82
DEL MAR, CITY OF	0	0	0	0
EL CAJON, CITY OF	0	0	13	224
ENCINITAS, CITY OF	0	0	0	0
ESCONDIDO, CITY OF	0	0	13	2,634
FAIRBANKS RANCH COMM SERV DIST	0	0	0	0
FALLBROOK PUBLIC UTILITY DIST	0	0	11	5,785
IMPERIAL BEACH, CITY OF	0	0	7	85
LA MESA, CITY OF	0	0	1	90
LEMON GROVE, CITY OF	0	0	1	30
LEUCADIA CWD	0	0	3	50
NATIONAL CITY, CITY OF	0	0	0	0
OCEANSIDE, CITY OF, WTR UTIL DEP	0	0	3	900
OLIVENHAIN MWD	1	1,200	0	0
OTAY MWD	0	0	0	0
PADRE DAM MWD	0	0	1	300
SAN DIEGO CO, PUBLIC WORKS	0	0	6	815
PAUMA VALLEY COMM SERVICE DIS	0	0	0	0
POWAY, CITY OF	0	0	0	0
RAINBOW MWD	0	0	3	620
RAMONA MWD	0	0	2	43,020
RANCHO SANTA FE COMM SERV DIST	0	0	0	0
SAN DIEGO, CITY OF, MWWD	5	467	92	16,176
SAN DIEGO STATE UNIVERSITY <sup>E</sup>	0	0	0	0
SOLANA BEACH, CITY OF	0	0	0	0
UNIVERSITY OF CALIFORNIA, SAN DIEGO <sup>E</sup>	0	0	0	0
USMC BASE, CAMP PENDLETON	0	0	0	0
US NAVY	0	0	0	0
US MARINE CORPS RECRUIT DEPOT <sup>E</sup>	0	0	0	0
VALLECITOS WD	0	0	4	141
VALLEY CENTER MWD	0	0	0	0
VISTA, CITY OF	0	0	4	167
WHISPERING PALMS COMM SERV DIS	0	0	0	0
	12	1,873	226	78,940

<sup>D</sup> Private spills are listed to indicate their locations.  
Public sewer agencies are not responsible for private property spills.



More North County news

## Hearing set on Gregory Canyon plan

### Water issue to be reviewed by judge

By J. Harry Jones  
UNION-TRIBUNE STAFF WRITER

August 23, 2008

The long-proposed Gregory Canyon landfill may be inching closer to reality with the approval recently of a document that the county hopes will address a judge's concern about the project's environmental effects.

The environmental impact report for the landfill, which would be built off state Route 76 about three miles east of Interstate 15, must be deemed complete before the developers can proceed with applications for various permits.

Nancy Chase, spokeswoman for Gregory Canyon Ltd., a partnership that has been trying to build the landfill for 15 years, said she hopes construction can begin next year.

In February, Vista Superior Court Judge Robert Dahlquist ruled that a revised 2007 environmental report was acceptable except for one issue: an agreement between the developers and the Olivenhain Municipal Water District, which has contracted to truck recycled water to the dump for 60 years.

The judge said further study was needed to make sure Olivenhain had enough water to honor the commitment without affecting its current and future customers.

Earlier this month Gary Erbeck, director of the county's Department of Environmental Health, approved an addendum to the report that he says adequately addresses the water issue.

If Dahlquist agrees at a court hearing scheduled for Oct. 17, Gregory Canyon Ltd. would be free to seek the permits it needs from state and federal agencies to start building the landfill.

Legal challenges to the landfill project, which is opposed by several conservation groups, the Pala Band of Mission Indians, Oceanside and other cities, have been frequent.

Opponents are concerned, among other things, about the landfill's proximity to the San Luis Rey River, groundwater and areas the Pala Indians consider sacred.

Attorney Everett DeLano said he will argue at the hearing that the addendum is incomplete and that the entire report should be redone so that the public can participate. That would take an additional year.

DeLano also said two earlier court rulings that went against opponents are being appealed, and there is the possibility that should Dahlquist approve the addendum, that decision might also be appealed.

## San Diego Regional Water Board NPDES Permit Issuance Schedule FY 2008-09

9/5/2008

Order No.	NPDES No.	Individual / General Permit	Agency	Facility	Permit Action	Scheduled Adoption Date
R9-2002-0282	CA0109142	Individual	Continental Maritime Ind, Inc	Continental Maritime Shipyard	Reissuance	8/13/08
R9-2003-0140	CA0109193	Individual	Genentech Inc	Genentech Facility	Reissuance	9/10/08
R9-2003-0155	CA0109347	Individual	USMC Base, Camp Pendleton	Plants 1,2,3 & 13 Discharge to Oceanside Ocean Outfall	Reissuance	9/10/08
R9-2000-0163	CA0109053	Individual	Konyrn, Frank J	Frank J Konyrn Dairy	Rescission	10/8/08
R9-2002-0067	CA0109371	Individual	S & S Farms	S & S Farms	Rescission	10/8/08
R9-2001-0028	CA0109339	Individual	Tom Van Tol	T.D. Dairy	Rescission	10/8/08
R9-2004-0065	CA0109207	Individual	Van Ommering Dairy	Van Ommering Dairy	Rescission	10/8/08
R9-2005-0008	CA0107239	Individual	UC San Diego	Scripps Institution Of Oceanography	Revision	11/12/08
R9-2003-0265	CA0107867	Individual	US Navy Public Works Center	Navy Public Works Graving Dock	Reissuance	11/12/08
New	New	Individual	Carlsbad Energy Center, LLS	Carlsbad Energy Center Power Plant Brine Discharge	New	12/10/08
02-020	CAG679001	General	Hydrostatic Potable General Permit	Hydrostatic Potable General Permit	Reissuance	12/10/08
R9-2003-0179	CA0107492	Individual	Padre Dam Municipal Water District	Padre Dain WRF	Reissuance	12/10/08
R9-2002-0025	CA0107409	Individual	San Diego City	Point Loma Ocean Outfall	Reissuance	1/14/09
R9-2002-0161	CA0109151	Individual	BAE Systems, Inc	BAE Systems San Diego Ship Repair (Formerly Southwest Marine Shipyard)	Reissuance	2/11/09
R9-2001-0237	CA0109355	Individual	Hubbs-Sea World Research Inst	Hubbs-Sea World, Agua Hedionda	Reissuance	2/11/09
R9-2003-0005	CA0109134	Individual	National Steel & Shipbuilding Co (NASSCO)	National Steel & Shipbuilding Co (NASSCO)	Reissuance	2/11/09
R9-2002-0002	CA0109363	Individual	US Navy Southwest Division	Naval Base Point Loma	Reissuance	2/11/09
R9-2002-0169	CA0109169	Individual	US Navy Southwest Division	Naval Base San Diego	Reissuance	2/11/09
R9-2003-0008	CA0109185	Individual	US Navy Southwest Division	Naval Base Coronado	Reissuance	2/11/09
New	New	General	De Minimus Discharges General Permit	De Minimus Discharges General Permit	New	3/11/09
R9-2004-0111	CA0108952	Individual	Sweetwater Authority	Sweetwater Authority Ground Water Demineralization	Reissuance	6/10/09
R9-2003-0394	CA0108944	Individual	Escondido City	HARRF Discharge to Escondido Creek	Rescission	Unscheduled
R9-2002-0001	CAS0108740	General	Orange County MS4 Storm Water Permit	Orange County MS4 Storm Water Permit	Reissuance	Unscheduled