

San Diego Regional Water Quality Control Board



Executive Officer's Report

October 10, 2008

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SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

EXECUTIVE OFFICER'S REPORT

October 10, 2008

PART A

SAN DIEGO REGION STAFF ACTIVITIES *(Staff Contact)*

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

On September 8, 2008, the City of Temecula hosted a Municipal Separate Storm Sewer System (MS4) program coordination meeting of the Riverside County copermittees within Santa Margarita Watershed. James Smith, Chad Loflen and Ben Neill attended on behalf of the Regional Board. Other attendees included representatives from the City of Temecula, the City of Murrieta, the County of Riverside and the Riverside County Flood Control and Water Conservation District. Wildomar incorporated as a city on July 1, 2008 and discussion centered on enrollment of the city in the current Riverside County MS4 permit. The meeting participants also discussed the impending incorporation of Menifee on October 1, 2008. It is undetermined if the City of Menifee will have jurisdiction over a MS4 system within the Santa Margarita Watershed that would require enrollment in the MS4 permit. The Riverside Copermittees will be submitting their fourth year annual report by October 31, 2008 and a Report of Waste Discharge (ROWD) in anticipation of the reissuance of their MS4 permit that expires on July 14, 2009. The meeting participants discussed what information to include within the fourth year annual report and the ROWD. Lastly, the meeting participants discussed the Notices of Violations (NOVs) sent to the Riverside Copermittees and their response. The Copermittees have made some changes to their monitoring program in response to the NOV including the addition of consulting services, updated mobilization criteria, additional sampling parameters, and modifications to their field data sheets.

On September 9, James Smith attended the Steering Committee Meeting of the Southern California Storm Water Monitoring Coalition (SMC). Representatives of CalTrans, the City of Los Angeles, the County of Orange, the Los Angeles County Department of Public Health, the Riverside County Flood Control District, the Los Angeles Regional Water Quality Control Board (Region 4), the Riverside Regional Water Quality Control Board (Region 8), the Southern California Coastal Water Research Project (SCCWRP), the San Bernardino Flood Control District, the United States Environmental Protection Agency, and the Ventura County Watershed Protection Division attended. Significant issues discussed included the following:

- The SMC website is now available for public viewing. It is being hosted by the County of Orange and can be found at: www.socalsmc.org

- Overcoming impediments to Low Impact Development (LID) implementation is becoming a substantial issue. The many permits now requiring LID and the codes and ordinances related to building and safety appear to be in conflict.
- Discussion continues on how best to quantify trash in the Municipal Separate Storm System. The Steering Committee will review the Surface Water Ambient Monitoring Program's Urban Rapid Trash Assessment at the next meeting on December 9, 2008.

On September 10, 2008, the Riverside County Flood Control and Water Conservation District (RCFCD) held their annual Water Quality Sampling and Safety Training. Ben Neill attended the training on behalf of the Regional Board. RCFCD staff responsible for sampling constituted the majority of those in attendance. The training discussed improvements to sampling procedures due to the Regional Board's issuance of Notice of Violation R9-2008-0053 on May 13, 2008 for violations of the Monitoring and Reporting Program within the Riverside County Municipal Separate Storm Sewer System Permit (Order No. R9-2004-001). The training reviewed how to correctly complete the updated field data sheets and sample container labels. The training also covered basic site safety and sampling procedures.

On September 11, Chad Loflen attended the Orange County Transportation Authority's Environmental Cleanup Allocation Committee meeting. The Environmental Cleanup Allocation Committee is a technical committee that will make recommendations on funding street and highway projects, using renewed Measure M funds, intended to improve water quality. Presentations and discussion at this meeting focused on determining high priority areas for potential projects. Chad Loflen, Richard Boon from the County of Orange, and Ken Schiff from the Southern California Coastal Waters Research Project provided informational presentations. Chad Loflen focused on the regulatory authority of the Regional Board and the protection of Beneficial Uses, including the Municipal Separate Storm Sewer System Permit, 303(d) listed waterbodies, stream restoration and hydromodification. Richard Boon's presentation focused on the County of Orange's monitoring results, including bioassessment, sediment toxicity and water chemistry. Ken Schiff's presentation focused on the project planning process, transportation and land-use pollutants, hydromodification, and low impact development.

On September 11, 2008, Riverside County's Environmental Compliance Division held their annual pre-storm season meeting to discuss construction activity oversight. Ben Neill attended the meeting on behalf of the Regional Board. Representatives from several departments within the County of Riverside, responsible for construction oversight, attended the meeting. Several staff members from the Santa Ana Regional Board and the Colorado River Regional Board also attended the meeting. The County introduced Chandra Santiago as their new Field Operations Agency Program Administrator. The County also

announced that they no longer use consulting services to inspect construction sites for storm water violations. "Non-active" construction sites will be required to permanently stabilize their sites prior to finalizing their grading permit. Several County inspectors were concerned about balancing the needs to protect water quality while also protecting the public's health and safety. Proper source control and planning of storm water BMPs can help alleviate concerns about protecting the public's health and safety.

On September 26, 2008, Christina Arias, Dat Quach, Laurie Walsh, and Eric Becker of the Watershed Protection Units met with the County of San Diego (as lead Copermittee under Order No. R9-2007-0001) and discussed progress on the Copermittees' Hydromodification Management Plan (HMP). Order No. R9-2007-0001 requires the Copermittees to submit a draft HMP to the Regional Board by January 24, 2009. At the meeting, the Copermittees and the Regional Board discussed progress in meeting the deadline and incorporating findings from an ongoing hydromodification study by the Southern California Coastal Water Research Project (SCCWRP) into the HMP. The Copermittees intend to deliver the draft HMP by January 29, 2009 and propose incorporating available and appropriate findings from the SCCWRP hydromodification study into their HMP.

On September 29, 2008, Tony Felix of the Regional Board provided a brief presentation as part of the Orange County Stormwater Program's two-day annual pre-wet season inspection training. RBF Consulting provided the bulk of the training and Richard Boon of the Orange County Stormwater Program chaired the event. Construction and grading inspectors and program managers of copermittees from South Orange County attended. The training provided an overview of state laws, water quality ordinances, Best Management Practice (BMP) evaluation techniques, and technical inspection procedures as outlined in the statewide General Construction Stormwater and Orange County Municipal Separate Storm Sewer System (MS4) permits. Joint training fosters inspection consistency that proves useful in performing our work, assessing our progress and meeting our goals and mission in protecting water quality within the regions.

PART B **SIGNIFICANT REGIONAL WATER QUALITY ISSUES**

1. Clean Water Act Section 401 Water Quality Certification Actions Taken in August and September 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 issued by the Regional Board or the Executive Officer, 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 months of August and September 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 September 2008 (Mark Alpert and Jeremy Haas)

The following is a summary of all enforcement actions taken during the month of September 2008. During this period the Regional Board initiated 82 enforcement actions (73 Notices of Violation (NOV); 1 NOV with a required technical report; 3 Investigative Orders (IO); 2 CAO Addenda; 2 Complaints for Administrative Civil Liability (ACL); and 1 ACL Order).

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/

Date	Action	Responsible Party / Facility Address
September 2, 2008	NOV R9-2008-0113, with Required Technical Report	International Iron Products, 10883 Thornmint Road, San Diego
NOV R9-2008-0113 was issued for failure to provide monitoring and site evaluation information in annual reports as required by State Water Board Order No. 97-03-DWQ, the <i>National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with industrial Activity</i> . Concurrent with the NOV, International Iron Products was required, pursuant to CWC Sections 13267 and 13383, to submit results from specified monitoring activities by July 1, 2009.		

September 2, 2008	NOV R9-2008-0115	Plaza Las Brisas, LLC, Las Brisas Cleaners Murrieta
NOV R9-2008-0115 was issued for failure to upload laboratory data and other information into the Geotracker electronic database regarding site assessment and cleanup activities of soil and groundwater contamination caused by an unauthorized release of PCE at Las Brisas Cleaners in Murrieta. Section 3890 of the California Code of Regulations (CCR) requires all reports submitted to Title 23 CCR, Chapter 16, "Underground Storage Tank Regulation" to be submitted in electronic deliverable format using the State Water Resources Control Board Geotracker database.		
September 5, 2008	CAO R9-2005-0278, Notice of Pending Rescission	Multiple Parties, 45011 Vuelta Grande Road, Temecula
A notice of pending rescission of CAO R9-2005-0278 was distributed to known interested parties following determination that Jim McGee of Multiple Concrete Enterprises, Inc., Michael and Milan Lubanko of LUBCO, Inc. and Tabatha and Keri Lubanko (Dischargers) have fully complied with the directives established in the CAO. The CAO was issued for the discharge of concrete slurry waste from an unpermitted surface impoundment located at 45011 Vuelta Grande Road in Temecula, CA to De Luz Creek and its tributaries. If no substantive comments are received, the CAO will be rescinded after 30 days.		
September 8, 2008	72 Notices of Violations	Multiple Parties, Industrial Storm Water Program
Notices of Violation were issued to 72 parties for failure to submit the 2007-2008 industrial storm water annual reports required by State Water Board Order No. 97-03-DWQ, the <i>National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with industrial Activity</i> . The Annual Reports were due to the Regional Board by July 1, 2008 as required by Section B.14 of the Order. As of September 25, 2008, reports have been received from 23 of the 72 parties. A second notice will be issued to the other 49 parties on October 8, 2008. Those that fail to submit the annual reports will be subject to mandatory penalties pursuant to the Stormwater Act of 1998.		
September 10, 2008	ACL Order R9-2008-0072	City of Vista and City of Carlsbad, Buena Vista Lagoon Sewage Spill
Order R9-2008-0072 was adopted at the September 10, 2008 Regional Board meeting in settlement of Complaint R9-2007-0099. The Order formally approves and incorporates a settlement agreement by imposing liability in the amount of \$1,095,000 against the Cities of Vista and Carlsbad. The Order directs payment by October 10, 2008 of \$200,000 to the State Board and \$895,000 to fund two SEPs in efforts to restore the Buena Vista Lagoon.		

September 15, 2008	CAO 95-66, Addendum 5	CV Ventures LLC, Boulevard Investors, the City of National City, and the National City Community Development Commission / Former Duck Pond Landfill
<p>CAO 95-66, Addendum 5 was issued to remove Rhode Island Acquisition, No. 1 LLC, SD Commercial LLC., and National Enterprises, Inc. from the list of responsible parties from the CAO directives. CAO 95-66 was issued on May 5, 1995 and amended by Order WQ 96-02 of the State Water Resources Control Board for cleanup and abatement of pollution and threatened pollution associated with discharges of solid waste at the Duck Pond Landfill in the City of National City. CV Ventures, the current owner has maintained compliance with Regional Board requirements since taking ownership of the inactive landfill.</p>		
September 16, 2008	CAO R9-2000-0255, Addendum 10	Mr. and Mrs. Chung Kwan Hsu, Budget Trade and Gas, 510 West 5 th Avenue, Escondido
<p>CAO R9-2000-0255, Addendum 10 was issued to modify groundwater monitoring requirements by deleting certain monitoring wells. CAO R9-2000-0255 was issued to cleanup and abate the effects of petroleum fuel wastes as a result of unauthorized discharges from a former leaking underground storage tank at 510 West 5th Avenue, Escondido.</p>		
September 22, 2008	ACL Complaint R9-2008-0057	Santa Margarita Water District
<p>ACL Complaint R9-2008-0057 proposed liability in the amount of \$133,190 for discharges of 887,934 gallons of untreated sewage to San Juan Creek and Cristianitos Creek from two incidents occurring in April and July 2007. The Complaint alleges the dischargers violated Order R9-2007-0005, <i>Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region</i>. A hearing is tentatively scheduled for December 10, 2008.</p>		
September 23, 2008	Investigative Order R9-2008-0097	County of San Diego, Department of Public Works Bonsall Landfill
<p>Investigative Order R9-2008-0097 requires the County of San Diego provide a technical in order to provide information regarding condition of pollution attributable to the Bonsall Landfill. The information will be used to evaluate whether the condition of pollution poses a threat to groundwater beneficial uses and to determine corrective actions necessary to bring the site into compliance with applicable water quality standards. Information required includes a delineation of release, a proposed water standard, proposed corrective action measures, a monitoring plan, and monitoring data. The report is due by March 30, 2009.</p>		

September 24, 2008	Investigative Orders R9-2008-0118 and R9-2008-0119	City of San Marcos and San Elijo Hills Development Company, Copper Creek, San Marcos
<p>Investigative Order R9-2008-0118 and R9-2008-0119 were issued to the City of San Marcos and San Elijo Hills Development Company, respectively, for an investigation into the placement of a grouted riprap structure within the upper portion of Copper Creek in the City of San Marcos. The structure lies within a portion of the creekbed that had been proposed as a compensatory mitigation area by the City of San Marcos for Clean Water Act Section 401 Water Quality Certification 03C-067. The structure has prevented attainment of the mitigation plan's objectives. Reports are due on October 20, 2008 that provides information about the construction of the structure. Additional enforcement action may be taken following review of the information requested in the Investigative Orders.</p>		

September 26, 2008	ACL Complaint R9-2008-0080	City of San Marcos, Bradley Park Landfill
<p>ACL Complaint R9-2008-0080 in the amount of \$59,975 was issued for failure to submit information required pursuant to Investigative Order (IO) R9-2006-0044.</p> <p>IO R9-2006-0044 required the City of San Marcos to submit a Report of Waste Discharge to the Regional Board by May 18, 2007. On January 30, 2008 the City submitted an incomplete Report of Waste Discharge that failed to meet the directives outlined in the IO. As of September 26, 2008, an adequate Report of Waste Discharge is 492 days late. A public hearing is tentatively scheduled for December 10, 2008.</p>		

3. Dana Point Harbor Maintenance Dredging Project *(Wayne Chiu)*

In response to Board Member Rayfield's recent request, this report describes the County of Orange's maintenance dredging project in Dana Point Harbor and its role in improving the bacterial water quality to meet the indicator bacteria TMDL that was adopted by this Board for Baby Beach in June 2008.

At the beginning of October 2008, the County of Orange began carrying out the dredging project to remove sand and silt in areas where it has accumulated in Dana Point Harbor. As part of the project, the County will dredge and remove the fine-grained sediments from the inter-tidal shore face at Baby Beach located in the northwestern area of the harbor. Clean, coarse-grained sand dredged primarily from along the west breakwater will also be used to replenish the sands on Baby Beach. The San Diego Water Board issued a Clean Water Act Section 401 Water Quality Certification to Orange County for the project, which is expected to be completed by the end of December 2008.

Based on studies conducted by the County of Orange in Dana Point Harbor at Baby Beach in 2002, high densities of fecal indicator bacteria were found in fine-grained sediments, with the highest densities located near the storm drain outlets on the east and west ends of the beach. These storm drains discharge surface runoff from a watershed located entirely within boundaries of the City of Dana

Point. The study findings indicate that bacteria and fine-grained sediments from the City of Dana Point are likely discharged through the storm drains. Furthermore, the bacteria appear to be residing and potentially re-growing in the fine-grained sediments that have accumulated in the inter-tidal shore face along Baby Beach. These sediments act as a secondary source of bacteria contamination as the fine-grained materials and bacteria are resuspended when high wave energy is transmitted through the west breakwater toward Baby Beach.

As a result of the 2002 findings and in response to the TMDL that was being developed by the San Diego Regional Board at that time, the County of Orange began planning the removal of the contaminated, fine-grained sediments near Baby Beach as part of the maintenance dredging project. Removing the bacteria-laden, fine-grained sediments is expected to improve bacterial water quality. In addition, it should help to achieve the bacteria load reductions required to meet the indicator bacteria TMDL that was adopted in June 2008 by the San Diego Regional Board for Baby Beach. It is important to point out however, that any long-term success in bacterial water quality improvements at Baby Beach will depend largely on additional actions taken by the municipalities to prevent subsequent recontamination. Preventing recontamination means eliminating or reducing the primary sources of bacteria (i.e., fine-grained sediment and bacteria loads from the watershed discharged through the storm drains to the inter-tidal shore face along Baby Beach).

4. Response to Letter Regarding Preparation for Rainy Season (James Smith)

On August 25, 2008 the California Regional Water Quality Control Board, San Diego Region (Regional Board) mailed a *Regional Preparations for San Diego Rain Season* letter (Letter) to all Copermittees for the three National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permits within the San Diego Region. A total of 38 Copermittees for the Orange, Riverside and San Diego County MS4 permits received the Letter reminding them to take all practicable actions to prepare for the upcoming rainy season. Particular focus was placed upon the removal of trash and waste from the storm drain system, thus preventing trash and waste from being flushed into receiving waters during the first significant storm event. Additionally, the Letter highlights the need for pre-rain inspection of construction sites, especially those that are inactive due to the slowdown in the housing market. After distribution of the Letter, the Regional Board contacted Copermittees under each MS4 permit seeking their (1) general response to the Letter, (2) work conducted above that required by other programs in response to the Letter, and (3) how the Letter was utilized to advance storm water programs.

In San Diego County, 8 of 21 Copermittees responded to the Regional Board (as of 6 Oct 08). All respondents reported that the letter was well received and served as a courtesy reminder of the existing requirements under the MS4 permit. Activities generated by the letter included communication with

other municipal departments such as Public Works, Housing and Neighborhood Services, and Community Development Departments. In several cases, these departments were asked to remind their employees about the importance of placement and maintenance of BMPs before the rainy season. This also included pre-storm inspections of temporary and permanent BMPs in high priority areas. The Letter was also used as a tool in annual municipal training. Two Copermittees sent letters to developers and contractors informing them of their responsibilities regarding erosion and sediment control on active and inactive sites. For the residential community, one Copermittee added information to the September utility bill about the importance of cleaning up landscaping debris. For high priority industries and commercial properties, the same Copermittee issued a letter reminding owners and managers of BMP requirements, including the Letter as a reference.

Eleven of the 13 Copermittees for the MS4 permit for Southern Orange County within the San Diego Region answered the request for a response to the Letter. All respondents indicated that the Letter was well-received, with Copermittees being appreciative of the reminder to prepare for the rainy season without overbearing threats of enforcement action. A majority of Copermittees distributed the letter to staff and management, including those not explicitly involved in storm water. Many Copermittees distributed copies of the Letter with building permits, to homeowners, home owners associations and at construction sites to emphasize the importance of trash and waste removal prior to the rainy season. Many Copermittees used the Letter while conducting inspections, especially on construction sites, as a form of reinforcement when Best Management Practices (BMPs) were insufficient and needed updating in preparation for rain events.

Among the four Copermittees covered under the MS4 permit for Southwestern Riverside County within the San Diego Region, none have answered the request for a response to the letter (as of 6 Oct 08). Two Copermittees indicated that they intend to respond in the future.

5. 2008 Wildfire Season Preparations *(John Odermatt) (Attachment B-5)*

During 2003 and 2007, the San Diego Region was impacted by major wildfires that destroyed over 900,000 acres and 5,000 structures, and caused evacuation of over 500,000 residents. As a result of those experiences, the Regional Board staff is developing contingency plans to provide the public with timely information, and coordinate staff resources during emergency response actions as the Region enters the 2008 Wildfire season. On October 8 and 9, 2008, wildfires burned total of approximately 2,000 acres at Marine Corps Base Camp Pendleton as reported by the San Diego Union-Tribune (attachment B-5).

To date, Regional Board preparations have included assigning specific staff as general points of contact for wildfire related issues including surface water and groundwater quality impacts, and for effective and timely management of disaster

related waste streams. Staff contacts have been selected for local coordination with State and Federal response actions, and the Regional Board Wildfire web page has been updated with current information. Please visit the web page at http://www.waterboards.ca.gov/sandiego/press_room/announcements/firestorm2007/wildfires.shtml for more information.

6. Marine Life Protection Act: So. California Process (*Chad Lortscher Loflen*)

The California State Legislature adopted the Marine Life Protection Act (Act) in 1999 that requires the State to evaluate and/or re-design all existing State Marine Protected Areas (MPAs) and to potentially create new MPAs that together will function as a statewide network. The Act develops new MPAs in a systematic manner, and ensures that existing MPAs have clear goals and objectives, and management plans and programs for monitoring and evaluating effectiveness. MPAs have been shown to preserve biological diversity, protect impacted marine species, aid in fisheries recovery, protect and restore habitat, and promote recreational, scientific, and educational opportunities.

A public-private partnership, referred to as the Marine Life Protection Act Initiative, is implementing the Act in five separate regions. The Central Coast and North Central Coast Study Region's have already undergone implementation and the process for the Southern Coast Region, from Point Conception to the U.S./Mexico Border, is currently underway. Although MPA proposals in the Central and North Central Regions were not evaluated for water quality, it has been recommended that the Southern Region's Science Advisory Team (SAT) develop guidance on addressing water quality for the Act Southern Coast Region. Marine water quality will play a role in the selection of new MPAs and evaluation of existing MPAs within the Southern Coast Region, and the Act specifically requires that interested parties be consulted regarding:

"the relevant history of fishing and other resources use, areas where fishing is currently prohibited and water pollution in the state's coastal waters" (Section 2855(c)).

This is consistent throughout the Act, which requires marine reserves to "*be maintained to the extent practicable in an undisturbed and unpolluted state*" (Section 2852(d)). The SAT for the Southern Coast Region made specific water quality recommendations for the region, such as the inclusion of the State Water Resources Board and the Regional Water Quality Control Boards in deciding MPA locations, current MPA assessment and post MPA evaluations via water quality monitoring. The Act Draft Master Plan, developed by the California Department of Fish and Game, suggests that MPAs should undergo triennial reviews. It is expected that these reviews will include an assessment of water quality when evaluating the success of specific MPAs.

From October 2008 to November 2009 the Southern Coast Regional Stakeholders Group (SCRSG) will meet approximately nine times for two-day

plenary meetings, and in three to four additional one-day work sessions. The first meeting of the SCRSG was held October 6-7, 2008 at the Embassy Suites in El Segundo. More information can be found at <http://www.dfg.ca.gov/mlpa/>

7. Update on Conditional Waiver No. 4, Agricultural Discharges (*Peter Peuron*)

On October 10, 2007, the Regional Board adopted Conditional Waiver No. 4 for Discharges from Agricultural and Nursery Operations, one of 11 conditional waivers included in Resolution No. R9-2007-0104. Resolution No. R9-2007-0104 is currently under review by the State Water Resources Control Board. The Resolution must also be reviewed by the Office of Administrative Law before any of the 11 waivers can go into effect.

Conditional Waiver No. 4 requires that persons responsible for conducting irrigation operations at agricultural and nursery operations enroll under the waiver by January 1, 2011 unless the discharges that qualify for the waiver are already regulated under another permit. Operators may enroll either as individuals or as members of a monitoring group. There are over 6,000 operators of facilities that will be subject to the waiver in San Diego County alone (i.e., not including many more agricultural operations in southern Riverside County and southern Orange County). Therefore, the current emphasis is on notifying operators of their obligations.

In order to successfully carry out the various tasks associated with implementation of the agriculture waiver, it has been necessary to enlist the cooperation of various entities that are involved in the industry. The San Diego Farm Bureau has regularly included articles which provide information on waiver requirements in its newsletter. On November 6, 2008 Regional Board staff will participate in the fourth workshop this year in which Conditional Waiver No. 4 will be presented and discussed. The workshop will be held at the Rancho California Water District office in Temecula. The Regional Board is also in the process of posting administrative documents related to Conditional Waiver No. 4 on the Regional Board website. These documents include the group Notice of Intent for enrollment, the individual Notice of Intent, Frequently Asked Questions, and an announcement to interested parties which explains the requirements of Conditional Waiver No. 4. Staff is also in the process of obtaining lists of agricultural and nursery operators in Region 9 so that hardcopies of the announcement can be provided to as many of the thousands of potentially affected parties as possible.

8. Cleanup and Abatement Order for Unauthorized Fill of an Ephemeral Stream at 14272 Jerome Drive, Poway CA (*Christopher Means*)

On June 25, 2008 pursuant to California Water Code section 13304, the Regional Board issued Cleanup and Abatement Order (CAO) No. R9-2008-0074 to Dr. Bill Moritz, for the unauthorized discharge of waste consisting of sand, silt, clay, or other earthen materials into an unnamed, ephemeral stream, tributary to Poway Creek. The CAO directed Dr. Moritz to: 1) Immediately stabilize the site

with erosion and sediment control BMPs, 2) Develop and implement a stream restoration plan to restore the stream to pre-project conditions, including the removal of a 24-inch drain pipe intended to transport flows across his property and 3) Submit a report documenting compliance with the CAO Directives.

On August 28, 2008 Dr. Moritz filed a petition with the State Water Resources Control Board (State Board) requesting a review of the CAO and a stay on enforcement of the Order. On October 3, 2008 the State Board dismissed Dr. Moritz's petition, and denied the request for a stay.

Since issuance of the CAO, Dr. Moritz has moved towards compliance with the Directives of the Order by implementing erosion and sediment control BMPs on site and developing a stream restoration plan. The restoration plan contained a proposed time line for compliance with the Directives of the CAO. The proposed timeline projected the need for additional time for Dr. Moritz to obtain a grading permit from the City of Poway and a Streambed Alteration Agreement from the Department of Fish & Game prior to restoring the stream. To accommodate Dr. Moritz's need for additional time, on October 1, 2008, the Regional Board issued Addendum No. 1 to the CAO, which revised the compliance dates in the CAO to reflect the proposed timeline in the restoration plan.

Regional Board staff will continue working with Dr. Moritz and the other agencies to ensure completion of the cleanup directives, and will provide the Board further updates as necessary.

9. Tijuana River Estuary Sediment and Trash October Meeting *(Benjamin Tobler)*

On October 3, 2008, John Robertus, Executive Officer of the San Diego Regional Water Quality Control Board (SDRWQCB), conducted a workshop to commence efforts to address prominent challenges concerning the Tijuana River Estuary. Over the past several months, Mr. Robertus has been developing a strategy for ultimately restoring the estuary to its original healthy condition. The strategy begins with capturing and disposing the sediment and trash which crosses the international border, followed by a comprehensive clean up of the existing pollutants in the estuary, and concludes with a full restoration of the water way both hydrologically and with regard to fauna and flora.

As architect for this strategic plan, Mr. Robertus assembled high ranking Federal, State and local Municipal officials for participation in the workshop.

Representative from local environmental agencies, non-profit agencies and engineering firms were also present. The first challenge currently undertaken is the design, funding, and construction of sediment basins and trash grates to abate the discharges of sediments and trash that come across the border. Mr. Robertus is utilizing the opportunity of the current Federal Border Fence construction as a catalyst for the construction of these capture facilities. All 35 participants of the workshop committed to participating in one or more of four Workgroups, depending on their area of influence and/or expertise. The four

workgroups are: Border Issues (i.e. sediment basin and trash grate construction), Cleanup Effort, Remediation Effort, and Mexican Issues. Notably, the City of San Diego and County of San Diego assumed the lead role for the Border Issues and Cleanup Effort workgroups (Tony Heinrich and Cid Tesoro, respectively), while the Tijuana River National Estuarine Research Reserve assumed the lead role for the Remediation Effort and Mexican Issues workgroups (Jeff Crooks and Oscar Romo, respectively). A tentative status report is currently scheduled for the December 10, 2008 Regional Board meeting, for workgroup leads to report on efforts and progress made. The significant contribution for this watershed scope effort by Mr. Carl Nettleton is most appreciated.

10. TMDL Updates (*Dave Gibson, Alan Monji, Benjamin Tobler, and Lisa Honma*)

The Total Maximum Daily Load (TMDL) Unit is working on several priority water quality issues that may result in Regional Board action items during upcoming meetings. It is worth noting, however, that resources for the San Diego Regional Board TMDL Unit were reduced by 1.0 PYs in the recently approved state budget. This will have a significant impact on TMDL development during the next two years.

The TMDL Unit is responding to this reduction in resources by revising priorities for TMDLs and organizing the new TMDL projects into watershed based efforts with significant outreach and collaboration with watershed stakeholders. The TMDL development process will be streamlined in the San Diego Region to take better advantage of experience and products developed by other regions for similar water quality issues and ensure Regional consistency with TMDLs being developed statewide. In addition, TMDL projects in the Santa Margarita River and Tijuana River watersheds and the Carlsbad Hydrologic Unit may include stakeholder driven, third party TMDL development efforts to help bridge the gap created by recent budget cuts in this program. At least two TMDL projects and one delisting project are being discussed with the City of San Diego to identify a collaborative approach to developing the TMDL and improving water quality.

In addition, Opportunities for improved storm water permit language, reporting requirements and a more integrated approach to TMDLs and Storm Water were identified in the Regional Board review of the Watershed Urban Runoff Management Plans (WURMPS) and the audit of the Copermittee WURMP programs. As a result, the Regional Board comment letter to the Copermittees on the WURMPs included some suggested revisions to the programs and an invitation to the Copermittees to meet with the Regional Board to discuss changes to the WURMP sections of the San Diego Municipal Storm Water Permit to include changes to better support the development and implementation of TMDLs and reduce duplicative or unnecessary reporting requirements.

Chollas, Paleta, and Switzer Creeks TMDL

On September 15, 2008, the Regional Board held a stakeholder meeting for the San Diego Bay Sediment TMDLs Work Group on the TMDLs for toxic pollutants

in sediment for the mouths of Paleta (Seventh Street Channel), Chollas, and Switzer Creeks in San Diego Bay. The Work Group, organized in 2001, includes representatives of local, state, and federal government, the environmental and public communities, and NASSCO were invited to give input and comment on the margin of safety, allocation strategies, and implementation strategies.

Presentations were given by the TMDL unit on the Watershed and Receiving Water Models used to calculate the TMDLs for polychlorinated biphenyls (PCBs), polycyclic aromatic hydrocarbons (PAHs), chlordane, and lindane. An overview of the technical TMDL report was also given. The overview included a presentation of the impairment (problem statement), the selected numeric targets, the sources being evaluated, the linkage analysis, and the draft TMDLs and waste load allocations. Key comments received during the stakeholder meeting included: adding NPDES Phase 2 MS4s and the dewatering system at the Convention Center as sources; concern about atmospheric deposition on the watershed; and a concern about the influence of the Shipyard Sediment Site contamination at the mouth of Chollas Creek. All comments will be entered into a database and responses will be posted on the Regional Board's project webpage as they become available.

The Regional Board will conduct a Public Workshop and CEQA Scoping Meeting for these TMDLs on October 14, 2008. At the workshop, the Regional Board will present 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 and all comments received will receive timely responses during the TMDL development process.

More information on these TMDLs can be found at:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/tmdls/sediment_toxicity.shtml

2008 Federal Clean Water Act Section 303d List and Integrated Report

The "Clean Water Act Section 303(d) List of Water Quality Limited Segments" (303d List) is updated every two years. For the 2008 update, the 303(d) List of Impaired Waterbodies and 305(b) Surface Water Quality Assessment report will be combined into one integrated report. For more background information, please see the December 2007 Executive Officer report (http://www.waterboards.ca.gov/sandiego/eo_report/eoreport.html).

Over 300 fact sheets for proposed water body listings and de-listings have been drafted and their information is currently being entered into the State Water Board's California Water Quality Assessment (Cal WQA) database. Within the last month, two new sets of data have been added into the evaluation process

including the bioassessment monitoring data collected by the Regional Board, the storm water Copermitttees, and the San Diego Stream Team. The analysis of this data will add approximately 150 or more new fact sheets and revisions to some of the 300 currently drafted to provide more supporting information for listing or delisting recommendations.

Due to the amount of time and effort required to populate the Cal WQA database and draft new fact sheets, additional staff resources have been directed to augment the Regional Board 2008 303(d) team.

The draft Integrated report should be released for public review and comment by December 2008. The major milestones projected for early 2009 include a public workshop, responding to public comments, and ultimately a hearing for the Regional Board to consider adoption of the recommended 303(d) List.

More information on the 303(d) list can be found at:
<http://www.waterboards.ca.gov/sandiego/programs/303dlist.html>.

Border 2012 September Meeting

Benjamin Tobler of the TMDL unit attended the Border 2012 meeting on September 24, 2008. Border 2012 is a collaborative effort between the United States and Mexico to improve the environment and protect the health of the nearly 12 million people living along the border. The bi-national program focuses on cleaning the air, providing safe drinking water, reducing the risk of exposure to hazardous waste, and ensuring emergency preparedness along the U.S.-Mexico border. Border 2012 is a results-oriented program that takes a "bottom-up" approach to addressing the environmental and public health needs of the border region.

The meeting included a project update on the opening of a major new waste water treatment facility, the Planta de Tratamiento Monte de los Olivos, scheduled for September 25, 2008. Additional project updates included presentations on the study to identify sources of bacteria in the Tijuana River; biodiesel fuel production from restaurant grease traps; accelerated anaerobic digestion of waste water, solid waste and glycerol; and progress on an artificial wetlands project in the Tecate River to treat brewery waste water.

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

1. Governor Vetos Ban on Residential Water Softeners *(Cheryl Prowell)*
Assembly Bill No. 2270 (AB 2270) was vetoed by Governor Schwarzenegger on September 30, 2008. As reported last month, Provisions of AB 2270 would have expanded the ability of local agencies to ban the use of residential water softeners to control salinity inputs impacting the usefulness and cost of recycled

water. The governor's veto statement indicated that increasing the use of recycled water in the state is "absolutely necessary" for the future of the state; however, "the provisions of this bill create a system that could unduly limit choices for consumers and small water systems."

Existing law provides that a local agency may limit the availability or prohibit the installation, of residential water softening or conditioning appliances that discharge to the community sewer system if the local agency makes specified findings in an ordinance. Any ban must be prospective and may not require the removal of residential water softening or conditioning appliances that are installed before the effective date of the ordinance.

AB 2270 also would have reduced from quarterly to annually the frequency that recycled water agencies were required to report recycled water delivery information to the SWRCB. Additional information regarding this bill is available on the website of the California State Senate (<http://www.sen.ca.gov>).

2. Water Quality Coordinating Committee Meeting (*John Robertus*) (*Attachment C-2*)
The Water Quality Coordinating Committee (WQCC) will hold a meeting to provide general education and share views among the Committee members. The WQCC consists of the members of the State Water Resources Control Board and the California Regional Water Quality Control Boards, and a quorum of the individual boards may be present. The meeting will commence at 10:00 a.m. on October 27 and 8:30 a.m. on October 28 in Sacramento.

The meeting will include discussions about the general issues concerning management and coordination between the State and Regional Water Boards. No regulatory action will be taken at the meeting. An agenda will be posted at least ten (10) days prior to the meeting date on the State Water Board's web site at: http://www.waterboards.ca.gov/board_info/calendar/#october

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

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

October 10, 2008

APPENDED TO EXECUTIVE OFFICER REPORT

DATE OF REPORT
October 10, 2008

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

10/10/2008 11:04 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
November 12, 2008 Regional Board Meeting San Diego Regional Water Board Office							
City of San Diego Convention Center Dewatering Discharge To San Diego Bay (<i>Joann Cofrancesco</i>)	ACL Settlement	NA		90%	100%	Yes	
General WDRs for Insitu Treatment of Groundwater for San Diego Bay. (<i>Helen Yu</i>)	WDR Adoption	NA	100%	100%	50%	Yes	WDRs for Insitu (in place) treatment of groundwater
General WDRs for Reinjection of Treated Groundwater from Volatile Organic Compound (VOC) Cleanup Sites (<i>Cheryl Prowell</i>)	WDR Adoption	100%	100%	100%	50%	Yes	New Order will supercede Order No. R9-2003-0111
NPDES Permit Rescissions--4 Dairies And S&S Farms (<i>Michelle Mata</i>)	NPDES Permit Rescission	0%	100%	100%	10%	Yes	
Resolution in Honor of Carlos Marin, IBWC Commissioner (<i>John Robertus</i>)	Resolution Adoption	NA	NA	0%	NA	Yes	

DATE OF REPORT
October 10, 2008

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

10/10/2008 11:04 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
Resolution in Support of Pharmaceutical Disposal Campaign (<i>Chiara Clemente</i>)	Resolution Adoption	NA	NA	100%	NA	Yes	
San Diego County Water Authority Groundwater Discharge, San Vicente Pipeline Project (<i>Rebecca Stewart</i>)	ACL Settlement	NA	NA	1	0.75	Yes	Mandatory Minimum Penalty ACL \$133,000
San Elijo Joint Powers Authority Discharge To Ocean Outfall (<i>Jeremy Hass</i>)	ACL Settlement	NA	NA	1	0.75	Yes	Mandatory Minimum Penalty ACL \$9,000
City of Escondido HARRF Facility Discharge To Ocean Outfall (<i>Rebecca Stewart</i>)	ACL Settlement	NA	NA	100%	75%	No	Mandatory Minimum Penalty ACL \$1,797,150
Master Reclamation Permit and WDRs for Southern Region Tertiary Treatment Plant, Camp Pendleton (<i>Robert Pierce</i>)	WDR Adoption	100%	100%	95%	95%	No	Tentative Order No. R9-2008-0089

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
Promenade Mall Development Corp. Groundwater Discharge To Mission Bay (Rebecca Stewart)	Hearing: ACL	NA	NA	100%	75%	No	Mandatory Minimum Penalty ACL \$9,000
Resolution for \$200,000 From CAA for a San Diego Bay SEP. (Eric Becker)	Resolution Adoption	NA	NA	0%	0%	No	
South Orange County Wastewater Authority, Chiquita Water Reclamation Plant (Joann Cofrancesco)	ACL Settlement	NA	NA	1	0.75	No	Mandatory Minimum Penalty ACL \$27,000
South Orange County Wastewater Authority, San Clemente Reclamation Plant (Joann Cofrancesco)	ACL Settlement	NA	NA	100%	0.75	No	Mandatory Minimum Penalty ACL \$21,000
South Orange County Wastewater Authority, San Juan Capistrano Reverse Osmosis Water Treatment Plant (Joann Cofrancesco)	ACL Settlement	NA	NA	100%	0.75	No	Mandatory Minimum Penalty ACL \$6,000

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
South Orange County Wastewater Authority, San Juan Ocean Outfall (<i>Joann Cofrancesco</i>)	ACL Settlement	NA	NA	100%	0.75	No	Mandatory Minimum Penalty ACL \$6,000
UCSD Scripps Institute Of Oceanography - Area Of Special Biological Significance - (ASBS) Pacific Ocean (<i>Michelle Mata</i>)	NPDES Permit Revision	100%	100%	90%	0%	No	Discharge to ASBS Pacific Ocean
December 10, 2008 Regional Board Meeting San Diego Regional Water Board Office							
WDRs for Frank J. Koryn Dairy (<i>Cathryn Henning / Kelly Dorsey</i>)	WDRs Adoption	100%	100%	90%	0%	Yes	Tentative Order No. R9-2008-131
WDRs for Jack and Mark Stiefel Dairy (<i>Cathryn Henning / Kelly Dorsey</i>)	WDRs Adoption	100%	100%	90%	0%	Yes	Tentative Order No. R9-2008-129

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
WDRs for S & S Farms (Cathryn Henning / Kelly Dorsey)	WDRs Adoption	100%	100%	90%	0%	Yes	Tentative Order No. R9-2008-132
WDRs for TD Dairy (Cathryn Henning / Kelly Dorsey)	WDRs Adoption	100%	100%	90%	0%	Yes	Tentative Order No. R9-2008-130
WDRs for Van Ommerring Dairy (Cathryn Henning / Kelly Dorsey)	WDRs Adoption	100%	100%	90%	0%	Yes	Tentative Order No. R9-2008-133
Ametek Inc. (Laurie Walsh / John Anderson)	Hearing: ACL	NA	NA	100%	NA	No	ACL Penalty \$2,265,000
City of San Diego Pt. Loma Ocean Outfall 301(H) Waiver Public Participation / Permit Approval Process (Melissa Valdovinos / Brian Kelley)	Information Item	NA	NA	20%	NA	No	Joint Regional Board / USEPA Staff Information Item

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
City Of San Marcos, Bradley Park Landfill (<i>Amy Grove / Bob Morris</i>)	Hearing: ACL	NA	NA	100%	NA	No	Violation of Investigative Order. King will recuse.
Constructed Seawall At First St. Coronado Dewatering Discharge To San Diego Bay (<i>Frank Melbourne</i>)	Hearing: ACL	NA	NA	50%	0%	No	Mandatory Minimum Penalty ACL \$24,000
Genentech, Inc. Nimo Facility Oceanside - Discharge to Oceanside Ocean Outfall (<i>Michelle Mata</i>)	NPDES Permit Reissuance	100%	90%	90%	80%	No	
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	75%	25%	0%	0%	No	
Kinder Morgan Mission Valley Terminal - Discharge to Murphy Canyon Creek (<i>Jeremy Haas</i>)	Hearing: ACL	NA	NA	100%	75%	No	Mandatory Minimum Penalty ACL \$229,000

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
NPDES General Permit Hydrostatic Testing and Potable Water Discharge (Michelle Mata)	NPDES Permit Reissuance	NA	100%	20%	0%	No	NPDES Workplan FY 2006-07
Ocean Discharger Receiving Water Monitoring Program Updates (Bruce Posthumus)	NPDES Permit Revisions	NA	50%	0%	0%	No	
Padre Dam Municipal Water District - Santee Reclamation Facility (Melissa Valdovinos)	NPDES Permit Reissuance	100%	90%	50%	0%	No	NPDES Workplan FY 2008-09
Santa Margarita Water District, Sanitary Sewage Overflows (Joann Cofrancesco)	Hearing: ACL	NA	NA	100%	30%	No	ACL \$133,190
Tijuana River Watershed-- Workshop or Discussion Item On Removal of Trash And Sediment (John Robertus)	Workshop or Discussion Item	NA	NA	0%	0%	No	

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

DATE OF REPORT
October 10, 2008

Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
<p>January 21, 2008 Regional Board Meeting San Diego Regional Water Board Office</p>							
Adoption Hearing - 2008 Fed. Clean Water Act Sec. 303(D) List of Water Quality Segments (<i>David Gibson</i>)	Adoption: CWA 303(d) WQ List	0%	0%	0%	0%	No	
City of San Diego Pt. Loma Ocean Outfall Discharge To Pacific Ocean - Public Hearing To Consider Comments (<i>Melissa Valdovinos / Brian Kelley</i>)	NPDES Permit Reissuance	100%	90%	0%	0%	No	Hearing on Variance Decision and NPDES Permit
Revised Bacteria Impaired Waters TMDL Project I For Beaches And Creeks (<i>David Gibson / Deborah Jayne</i>)	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.

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF AUGUST 1, 2008 THROUGH SEPTEMBER 30, 2008**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
8/12/08	City of Vista	City of Vista Sports Park Project	The project is the installation of an 8-inch sewer pipe and the development of public recreational facilities including lighted baseball and football/soccer fields, a tot lot, storage, a pad for a future gymnasium/recreation center, structures for concessions and restrooms, and associated infrastructure.	Guajome Creek and tributary.	Riparian (P) 0.05 acre Streambed (P) 0.02 acre	On-site and adjacent Creation of 0.12 acre of Southern Willow Scrub and Enhancement of 0.12 acre if Southern Willow Scrub	Technically Conditioned Certification & Enrollment in SWRCB GWDR Order No. 2003-017 DWQ
8/15/08	San Diego Gas & Electric	5393-SDG&E Access Road Repairs TM 3010, Torrey Pines, California	Installing two 8-inch PVC pipes to convey low flows under the access road, repair the road, stabilize the streambed elevation, repair erosion around the gas line, and install energy dissipation.	Unnamed, upland, ephemeral creek tributary to Gonzales Canyon Creek, which in turn is tributary to San Dieguito River.	Streambed (P) 0.004 acre	Purchase 0.1 acre of mitigation credit from North County Habitat Bank	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 AUGUST 1, 2008 THROUGH SEPTEMBER 30, 2008**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
9/2/08	Poway Meadows LP/Pacific Scene Homes	The Meadows APN 317-350-030	The project consists of the development of 30 affordable housing residential lots, and related infrastructure on an approximately 4 acre site.	Unnamed isolated ephemeral freshwater marsh (HA 906.20)	Wetland (T) 0.05 acre Streambed (P) 0.03 acre	Create 0.04 acre of wetland Restore 0.05 acre of wetland	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 AUGUST 1, 2008 THROUGH SEPTEMBER 30, 2008**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
9/12/08	EDCO Waste and Recycling Services	EDCO Facility Drainage Ditch Realignment	The project will realign an approximately 615-ft length of drainage ditch that parallels Federal Boulevard to a position four feet west, install a 36-in. diameter RCP storm drain, and new pavement curves and sidewalks.	Unnamed tributary to Chollas Creek	Streambed (T) 0.1 acre	This project is considered self-mitigating.	Technically Conditioned Certification & Waiver of Waste Discharge Requirements
9/12/08	California Department of Transportation, District 11	Coronado Bay Bridge Fish Enhancement Structure - San Diego Bay	The project is the placement of approximately 1,100 A-Jacks and pipe structures in an enhancement lease plot adjacent to the existing Le Meridian reef in order to create and enhance fish habitat.	San Diego Bay	Ocean (P) 0.3 acre	This project is considered self-mitigating.	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 AUGUST 1, 2008 THROUGH SEPTEMBER 30, 2008**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
9/18/08	Scripps Health	Mercy Gardens Slope Repair	Amendment to Certification 07C-046 to install a 265-foot long and 17-foot wide grass-crete sewer access road in the canyon bottom.	Ephemeral drainage to San Diego River	No changes in impacts	No changes in mitigation	Amendment to a Technically Conditioned Certification & Waiver of Waste Discharge Requirements
9/19/08	County of San Diego	Valley Center Road Widening Project North	Amendment to Certification 03C-116 to increase impacts due to the additional 200 feet of flood control drainage improvements which includes channel grading and widening, bank removal and contouring, and rip rap placement.	San Luis Rey River	Freshwater Marsh (P) 0.007 acre Streambed (P) 0.009 acre	Mitigation for Impacts from the Additional Drainage Improvements: Create 0.21 acre of Freshwater Marsh Create 0.27 acre of Streambed	Amendment to a Technically Conditioned Certification & Waiver of Waste Discharge Requirements

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF AUGUST 1, 2008 THROUGH SEPTEMBER 30, 2008**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
9/25/08	U.S. Fish and Wildlife Services	Sweetwater Marsh Habitat Enhancement Project	The project involves the re-contouring of a portion of the steep fill bank, removal of an old dirt roadbed, and a concrete weir, and the construction of a new 36-inch diameter culvert under the existing Gunpowder Point access road in order to increase tidal circulation.	San Diego Bay	Estuary (T) 0.034 acre	This project is considered self-mitigating.	Technically Conditioned Certification & Enrollment in SWRCB GWDR Order No. 2003-017 DWQ

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 August 1, 2008 and August 31, 2008: 12
 Number of Amendments Received Between August 1, 2008 and August 30, 2008: 0
 Number of Project Received Between September 1, 2008 and September 30, 2008: 7
 Number of Amendments Received Between September 1, 2008 and September 30, 2008: 2
 Number of Projects Received Between January 1, 2008 and September 30, 2008: 72
 Number of Certifications Issued Between January 1, 2008 and September 30, 2008: 31

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF AUGUST 1, 2008 THROUGH SEPTEMBER 30, 2008**

Number of Projects Withdrawn Between January 1, 2008 and September 30, 2008: 8

Number of Projects Where Time-Expired Between January 1, 2008 and September 30, 2008: 3

Number of Projects Denied Between January 1, 2008 and September 30, 2008: 0

More North County news

Second Pendleton fire knocked down quickly

By Debbi Baker

UNION-TRIBUNE BREAKING NEWS TEAM

2:25 p.m. October 9, 2008

CAMP PENDLETON — A second fire that began on Camp Pendleton Thursday afternoon was quickly stopped at 10 acres, base officials said.

That fire was reported about 12:45 p.m. and burned in the area of Range 800, in the eastern portion of the base at one of its highest elevations, said Camp Pendleton Fire Inspector Bill Gick. The area is surrounded by roads, he said.

Base officials said that fire was 100 percent contained by about 1:40 p.m.

The first fire, which began Wednesday and was dubbed "November" after the training area where it started, scorched between 1,400 and 1,900 acres of wild land on the sprawling military base. It is encircled by fire breaks now but is not yet entirely under control, base officials said Thursday afternoon.

There is very little activity on the flanks of the blaze, but firefighters are keeping close eye on it as there is a slight possibility that a flare-up could jump the fire break.

"It's looking good and is pretty much taken care of," Gick said Thursday morning. No structures and none of the surrounding communities are threatened, Gick said.

Firefighters were helped by the weather: temperatures dropped and winds were low, base officials said.

By daybreak, the November fire had slowed considerably on three sides and all roads and gates on the base were opened and power — some of which had been shut off as a precaution — was fully restored, base officials said.

Officials said the base's golf course, which was evacuated Wednesday, and the Stepp riding stables will be closed until further notice.

The fire was first reported about 3:30 p.m. at Range 401, an explosive ordinance disposal area, Gick said.

He did not know what, if anything, was going on there when the fire started, and the cause of the blaze has not yet been determined.

The range is located in a southwestern area of the sprawling military complex, between an airfield and the golf course.

Some 180 firefighters battled the fire on the ground and from the air including crews from Cal Fire, the U.S. Forest Service and the Sheriff's Department. Combined, they sent nine aircraft to the fire, including helicopters and tanker planes and two CL-145 Superscooper water bombers leased just last month, Cal Fire Capt. Nick Schuler said.

Gick said that after the fire started the primary effort was to start back fires to encircle the blaze and keep it from quickly running through the thick, dry brush. He said that area of the base had not burned in a very long time.

A second, small brush fire also broke out about 9 p.m. south of the Serra Mesa Housing area. Several homes were threatened and evacuated, but firefighters had it quickly contained and no damage to structures reported.

The cause of that fire is also under investigation, Gick said.

The November fire -- and the back fires -- sent huge billows of smoke into the night sky and produced an eerie orange glow Wednesday night above the ridgelines north of Oceanside that could be seen across the North County.

Smoke drifted as far south as Solana Beach and was seen in Orange County and in Riverside County, where people reported that ash was falling from the sky. Drivers on Interstate 5 slowed to watch the flames.

In Los Angeles people reported the smell of smoke and called 911, Los Angeles Fire Department spokesman Brian Humphrey said.

Marine officials said that they did not yet know the cause of any of the fires and that they were all under investigation.

Last October, more than 21,000 acres burned in other remote areas of the base. No structures were damaged.

At 125,000 acres, Camp Pendleton is one of the largest bases in the country and is home to the 1st Marine Expeditionary Force. The Marine Corps established it in 1942.

The Associated Press contributed to this report.



State Water Resources Control Board

Executive Office

Tam M. Doduc, Board Chair

1001 I Street • Sacramento, California 95814 • (916) 341-5611
 Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
 Fax (916) 341-5621 • <http://www.waterboards.ca.gov>

Arnold Schwarzenegger
 Governor



Linda S. Adams
 Secretary for
 Environmental Protection

NOTICE OF WATER QUALITY COORDINATING COMMITTEE (WQCC) MEETING

October 27-28, 2008
 California State Library
 914 Capital Mall, Room 500
 Sacramento, California 95814

NOTICE IS HEREBY GIVEN that the Water Quality Coordinating Committee will hold a meeting to provide general education and share views among the Committee members. The Water Quality Coordinating Committee consists of the members of the State Water Resources Control Board and the California Regional Water Quality Control Boards, and a quorum of the individual boards may be present. The meeting will commence at 10:00 a.m. on October 27 and 8:30 a.m. on October 28.

AGENDA

The meeting will include discussions about the general issues concerning management and coordination between the State and Regional Water Boards. No regulatory action will be taken at the meeting. An agenda will be posted at least ten (10) days prior to the meeting date on State Water Board's web site at:

http://www.waterboards.ca.gov/board_info/calendar/#october

Individuals who require special accommodations are requested to contact the Office of Employee Assistance, at (916) 341-5881.

LUNCH INFORMATION

The meeting will include a working lunch on October 27. A pre-arranged lunch can be purchased by contacting Shirley Moreno, at (916) 324-7481 or smoreno@waterboards.ca.gov. Otherwise, lunch will be the responsibility of the individual.

October 8, 2008

 Date

Jeanine Townsend

 Jeanine Townsend
 Clerk to the Board

California Environmental Protection Agency