



Enforcement News

San Diego Regional Water Quality Control Board
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San Diego Water Board Reaches \$286,324 Settlement with Scripps Mesa Developers for Storm Water Violations

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SAN DIEGO -- The San Diego Regional Water Quality Control Board's executive officer has approved a \$286,324 [settlement agreement](#) with Scripps Mesa Developers, LLC for violations of the statewide Construction Storm Water Permit.

Scripps Mesa failed to prevent pollutants at Garden Communities' Casa Mira View apartment development in the San Diego community of Mira Mesa from entering storm water runoff from October 2010 to January 2014.

As a result, sediment-laden storm water entered Los Peñasquitos Creek, which feeds into the Los Peñasquitos Lagoon. Both water bodies are extremely sensitive to excess sediment. Los Peñasquitos Lagoon is a designated natural preserve by the State Park and Recreation Commission, and is a federally-listed impaired water body for damage to the salt marshes caused by excess sedimentation/silt.

Sediment from construction activities poses a large threat to local waters because so much dirt can wash off during a storm. Excess sediment can alter or obstruct flows and change the existing riparian functions, and it can also act as a binder, carrying toxic constituents, such as metals and organic contaminants (e.g., pesticides and polychlorinated biphenyls), with it.

Sediment discharges can also affect downstream habitats by increasing turbidity levels, reducing visibility, and impacting biotic feeding and reproduction. Excess sediment can cause acute toxic effects on the invertebrate aquatic community as well.

"Our inspectors are troubled by the many instances of negligent sediment controls at construction sites. All it takes are some simple, economically viable, common-sense controls that are readily available to avoid serious ecological consequences," said David Gibson, executive officer of the San Diego Water Board. "This action is a reminder that failure to follow simple permit requirements can have serious fiscal consequences."

The Administrative Civil Liability of \$286,324 will be deposited into the State Water Pollution [Cleanup and Abatement Account](#) to be used for the remediation of pollution in the state's

waters. The Cleanup and Abatement Account was created to provide public agencies with funds for the cleanup or abatement of pollution when there are no responsible parties available to undertake the work.

Eligible entities that can apply for this funding include public agencies, as well as certain nonprofit organizations and tribal governments that serve a disadvantaged community and have the authority to clean up or abate the effects of waste.

[The San Diego Water Board](#) protects and restores water quality in the southwest portion of the State, including parts of San Diego, Riverside, and Orange counties. Its vision is to have healthy waters realized through collaborative, outcome-focused efforts that support both human uses and sustainable ecosystems.

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