California Regional Water Quality Control Board

San Diego Region

David Gibson, Executive Officer

Executive Officer's Report

January 12, 2011

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Part A – San Diego Region Staff Activities

1. Personnel Report

Staff Contact: DiAnne Broussard

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

Retirements
Staff Services Analyst Equilla Harris retired on January 3, 2011. Equilla began her State Career as an Office Assistant with the Attorney General's Office in downtown San Diego. Between March 1991 and June 1994 she worked for the Employment Development Department. On June 20, 1994 she came to work for CALEPA at the San Diego Regional Permit Assistance Center as an Office Technician. R-PAC, as it was called, was a cooperative effort between the State, San Diego County and the City of San Diego to streamline the issuing of permits to various businesses in the San Diego region. Equilla transferred to the San Diego Water Board's Office in Clairemont in May 1997. While she worked here, she was accepted in the Upward Mobility Program and completed a Bachelor of Arts degree in Public Administration. She was promoted to Staff Services Analyst in November 2000 and has been a key member of the Administrative Unit handling personnel, procurement and contract assignments.

Vacant positions for the State and Regional Boards are posted on the State Board web page at
http://www.waterboards.ca.gov/about_us/employment/

Part B – Significant Regional Water Quality Issues

1. Enforcement Actions for December 2010

Staff Contact: Jeremy Haas

During the month of December 2010, the San Diego Water Board initiated the following enforcement actions:

December 2010 Enforcement Actions	Number
Cleanup and Abatement Order	1
Investigative Order Addendum	1
Notice of Violation	1
Staff Enforcement Letters	5
Total	*8*

A summary of recent regional enforcement actions is provided below. Additional information on violations, enforcement actions, and mandatory minimum penalties is available to the public from the following on-line sources:

State Water Board Office of Enforcement webpage at:
http://www.waterboards.ca.gov/water_issues/programs/enforcement/

California Integrated Water Quality System (CIWQS)
http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.shtml

State Water Board GeoTracker database:
https://geotracker.waterboards.ca.gov/

Cleanup and Abatement Order (CAO)

County of San Diego, Bonsall Sanitary Landfill
CAO No. R9-2010-0067 and Monitoring and Reporting Program No. R9-2010-0068 were issued to the County of San Diego on December 6, 2010 directing the County of San Diego to cleanup and abate the effects of pollution and nuisance and submit technical reports pertaining to corrective action at the Bonsall Sanitary Landfill on Twin Oaks Valley Road, San Diego County. The Bonsall Sanitary Landfill operated from 1968 to 1985 as a Class II landfill. There are 34 private supply wells within one mile of the site used for domestic and agricultural water supply. The CAO requires construction plans be submitted by April 29, 2011 and that concentration limits be achieved by September 30, 2015.

Investigative Order (IO)

K Square Financial and Chevron, Former Gas Station, Escondido
Addendum No. 1 to Investigative Order No. R9-2010-0021 was issued to K Square Financial and Chevron on December 27, 2010 to add Chevron as a responsible party to the Order. The Addendum also extends due dates for a Site Assessment Workplan from June 30, 2010 to April 30, 2011 and for a Site Assessment Report from November 30, 2010 to July 30, 2011.

Notice of Violation (NOV)

Bianchi Family Trust, Former Bianchi Industry, Temecula
An NOV was issued to the Bianchi Family Trust on December 9, 2010 for failing to submit a groundwater monitoring report by October 30, 2010 as required by Investigative Order No. R9-2007-0227. The groundwater report is required to assess conditions associated with a leaking gasoline underground storage tank that has affected groundwater in the Murrieta Hydrologic Subarea.

Staff Enforcement Letters (SEL)

South Orange County Wastewater Authority, Multiple Facilities
An SEL was issued to the South Orange County Wastewater Authority on December 10, 2010 for numerous violations of Order No. 97-52 (*Waste Discharge and Water Recycling Requirements for the Production and Purveyance of Recycled Water by Member Agencies of the*

South Orange County Reclamation Authority, Orange County) at two of its member agencies' facilities that occurred in October 2010.

The Moulten Niguel Water District Regional Plant was cited for one violation of the 12-month average discharge specifications for manganese.

The South Coast Water District Coastal Treatment Plant was cited for one violation of the daily maximum discharge specification for manganese and one violation of the 12-month average discharge specification for manganese.

Otay Water District, Ralph W. Chapman Water Recycling Facility
An SEL was issued to the Otay Water District on December 9, 2010 for two violations at the Ralph W. Chapman Water Recycling Facility of the 12-month running average total nitrogen discharge specification in Order No. R9-2007-0038 that occurred in September and October 2010.

U.S. Marine Corps Base Camp Pendleton, Sewage Treatment Plant No. 9
An SEL was issued to the U.S. Marine Corps Base Camp Pendleton on December 10, 2010 for one violation at Sewage Treatment Plant No. 9 of prohibitions in Order No. 98-04 resulting from a spill of 1,000 gallons of tertiary disinfected wastewater that occurred on October 8, 2010.

U.S. Marine Corps Base Camp Pendleton, Southern Region Tertiary Treatment Plant
An SEL was issued to the U.S. Marine Corps Base Camp Pendleton on December 10, 2010 for two violations at the Southern Region Tertiary Treatment Plant of the daily maximum chloride and color discharge specifications in Order No. R9-2009-0021 that occurred in October 2010.

City of San Diego, North City Water Reclamation Plant
An SEL was issued to the City of San Diego on December 2, 2010 for one violation at the North City Water Reclamation Plant of the 12-month average manganese effluent limitation in Order No. 97-03 that occurred in October 2010.

2. Clean Water Act Section 401 Water Quality Certification Actions Taken in November and December 2010 *(Attachment B-2)*

Staff Contact: Chiara Clemente

Section 401 of the Clean Water Act (CWA) requires that any person applying for a federal permit which may result in a discharge of pollutants into Waters of the United States 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, most often 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 San Diego Water 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 San Diego Water Board may issue a conditional certification. The certification can be either in the form of a conditional certification document approved by

the Executive Officer, or Waste Discharge Requirements (WDRs) adopted by the San Diego Water Board. In the case where a federal permit is not required because impacts have been determined to be only to Waters of the State, the San Diego Water Board may adopt WDRs. Table B-2 (attached) contains a list of actions taken during the months of November and December 2010. Certification amendments are included in these reports, starting with June 2008. Public notification of pending 401 Water Quality Certification applications can be found on the San Diego Water Board's web site at: http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/publicnotices/ . Certifications issued since January 2008 can also be found on our web site at: http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/401projects.shtml .

3. Status Report - Shipyard Sediment Site Cleanup and Abatement Order and Environmental Impact Report

Staff Contact: Julie Chan

This status report discusses progress made in December on the Shipyard Sediment Site clean up project. As of mid-December, the Environmental Impact Report (EIR) consultants were under contract and working on the EIR for the tentative Cleanup and Abatement Order (CAO). As a result, the Cleanup Team immediately scheduled and attended an inspection of the NASSCO and BAE Systems shipyards with their representatives and the EIR Consultants on December 22, 2010. The purposes of the inspection were to: (1) investigate the possible locations for stockpiling, dewatering and treating the dredged sediment; (2) allow the Cleanup Team and EIR consultants to gain a better understanding of shipyard operations and site constraints; (3) allow the Cleanup Team and EIR consultants to gain a better understanding of existing storm water source control measures; and (4) discuss assumptions about sediment contamination levels that may dictate ultimate disposal alternatives. These issues will directly impact the analysis to be undertaken in the EIR.

On December 8, 2010, the Executive Officer issued a Clean Water Act Section 401 Certification to BAE Systems for maintenance dredging one of its dry docks. About one quarter of the dry dock dredging footprint overlies the Shipyard Sediment Site cleanup footprint. NASSCO's latest estimate for providing the Cleanup Team with a Remedial Action Plan for site cleanup has been pushed back to late January 2011. Finally, the Cleanup Team met its January 5, 2011 deadline to respond to the discovery put forward by the San Diego Unified Port District (Port) and the Star & Crescent Boat Company. Additional details on these actions are provided below.

Environmental Impact Report

NASSCO and BAE Systems (the Shipyards) signed the contract with the EIR Consultants (LSA Associates and Geosyntec) in mid-December making possible the shipyards inspection later that month. During and after the December 22, 2010 inspection, it became apparent that the shipyards are probably not large enough to accommodate staging, dewatering, and treatment of the volumes of contaminated sediments to be dredged under the CAO within the proposed three year time period without significant impacts to the shipyards' business operations. These

impacts could include turning work away and employee layoffs. Both shipyards reported that they have attempted to initiate discussions with the San Diego Unified Port District (Port) to look for additional stockpile sites within the tidelands managed by the Port, but have been unsuccessful in initiating a dialogue. The Cleanup Team has also discussed a potential alternative staging, dewatering, and treatment site with the Port on a number of prior occasions, without success. In light of the results of the shipyard leasehold inspections, however, the Cleanup Team intends to re-initiate those discussions with the Port as soon as possible.

In the interest of keeping the CAO on schedule for consideration by the Water Board, the Cleanup Team directed the EIR consultants to begin preparing a programmatic EIR for the CAO. A programmatic EIR can be prepared without identifying specific stockpile locations. A subsequent environmental analysis, however, will be required for any potentially significant environmental impacts unique to the stockpile location ultimately selected. This analysis would take place at the time the dredging waste discharge requirements and Remedial Action Plan are brought before the Board. The Cleanup Team provided the EIR consultants with a selection of several potential stockpile locations within 10 a ten mile radius of the Shipyard Site, and the consultants are now preparing the EIR's Project Description.

Remedial Action Plan

NASSCO has been in the process of preparing a draft Remedial Action Plan (RAP) for cleaning up the Shipyard Sediment Site. In October of this year, NASSCO communicated to the Cleanup Team that the RAP might be available as early as the first week of November. At the December 22, 2010 shipyards inspection, NASSCO reported that the RAP is undergoing final review and might be available to the Cleanup Team in late January. In light of the Cleanup Team's decision to take a programmatic approach to the EIR, the finishing touches to the RAP will need to wait until the final stockpile site is selected.

BAE Systems Maintenance Dredging Project Progress

In early December, the Executive Officer issued a Clean Water Act Section 401 Certification to BAE Systems for maintenance dredging of approximately 7,000 cubic yards of marine sediment at one of its dry docks. About one fourth of the maintenance dredging footprint overlaps the proposed Shipyard Sediment Site cleanup footprint, which created concern about the project for both Environmental Groups and the Shipyard Sediment Site Responsible Parties. BAE Systems proposed a very aggressive schedule for the maintenance dredging project in order to complete the dredging by February 2, 2011, when a Navy ship will be in for repairs. The Cleanup Team expedited drafting the Certification documents, circulated those expedited Certification documents in draft to stakeholders for an expedited review, and quickly resolved the comments received in order to move the maintenance dredging project forward as quickly as possible. These efforts were successful, and with the issuance of the Certification on December 8, 2010, BAE Systems was able to initiate the dredging activities on schedule. Although the Certification is focused only on the dredging necessary to maintain a dry dock on the BAE Systems leasehold, the maintenance dredging will result in the first physical removal (albeit incidental) of Shipyard Sediment Site contaminants from San Diego Bay.

Discovery and Depositions Regarding the CAO

As reported last month, the Port and Star & Crescent Boat Company propounded substantial discovery requests on the Cleanup Team in November 2010. In order to provide timely

responses, the Cleanup Team worked over 400 hours in December (canceling or shortening planned holiday leave), and recruited two additional staff members to assist in the effort. The Port requested the production of thousands of documents not contained in the administrative record – most of which relate to the potential responsibility of persons not currently or formerly named in the CAO. Thus, the Cleanup Team will be spending significant time in January locating and providing access to the Port to the files containing these records. It is anticipated that the Responsible Parties will take the depositions of the five main Cleanup Team members beginning in late January and continuing through the first week of March. Each member of the Cleanup Team, including the Executive Officer, will need to dedicate an entire week to preparing for and attending his or her deposition and will not be available to work on other matters.

4. Burning of the "Bomb Factory" House

Staff Contact: John Odermatt

The County of San Diego executed a plan to protect public health and safety by burning a residence, A.K.A. the "bomb factory" house, located at 1954 Via Scott in Escondido. The burning of the residence took place on December 9, 2010. The tenant used the residence and property to illegally store hazardous and explosive materials (see stories published by the San Diego Union Tribune at http://www.signonsandiego.com, and North County Times at http://www.nctimes.com). According to the North County Times the chemicals reportedly found at the property included:

Hexamethylene triperoxide diamine (HMTD), an unstable powder explosive;
Pentaerynthritol tetranitrate (PETN), a powerful explosive;
Erythritol tetranitrate, which is similar to PETN;
Sulfuric acid;
Nitric acid; and
Hydrochloric acid.

Approximately thirty firefighters from the Cities of Escondido and San Marcos were available on site as the residence and its contents were burned on December 9th. The burning of the residence was preceded by the evacuation of approximately 200 residences located within a 400-yard radius of the home and closure of Interstate 15 for public safety. After the burning of the structure, waste characterization and cleanup of the site was conducted under the oversight of the Sheriff Department Bomb Squad, the County of San Diego Department of Environmental Health, and the California Department of Toxic Substances Control. The remaining burned solid wastes were transported for disposal at the Otay Class III Landfill.

The development of plans to demolish and cleanup the property followed the Governor's proclamation declaring a state of emergency because of conditions at the residence (http://www.gov.ca.gov/proclamation/16621/). The Assistant Secretary of CalEPA, Mr. Don Johnson, issued a letter on December 9, 2010 to facilitate coordination of efforts by State and local agencies working on this project. The San Diego Water Board worked closely with the County of San Diego to develop plans to contain any erosion and runoff that might be generated by fire fighting work, and to streamline management of solid wastes resulting from the burning

of the "bomb factory" house. Because of the Governor's state of emergency proclamation, by December 7th the San Diego Water Board had enrolled the project under Conditional Waiver of Waste Discharge Requirements No. 10 for management and disposal of the emergency related wastes. The waiver can be found at (http://www.waterboards.ca.gov/sandiego/board_decisions/waivers/docs/Conditional_Waiver_10.pdf).

This action was essential to streamline the disposal of the solid wastes from the burning of the residence and disposal of contaminated surface soil from the property. Otay Landfill Inc. reported that as of December 17, 2010 the landfill received and buried 53 tons of solid wastes (including burned material and soil), which were immediately buried in the Landfill. It is the understanding of the Otay Landfill staff that an additional 5 tons of material was segregated and shipped off site for recycling. The Otay Landfill staff did not report any problems with the management or burial of the wastes from the site. Further, information from involved agencies indicates that operations proceeded according to plans.

5. Southern California Marine Protected Areas

Staff Contact: Deborah Woodward

California's Marine Life Protection Act (1999) directs the state to redesign its system of Marine Protected Areas (MPAs) to be more effective in protecting the state's marine life, habitats, ecosystems, and natural heritage. The California Department of Fish and Game manages the system, and efforts to improve the MPAs have been underway since 2004.

On December 15, 2010, the California Fish and Game Commission adopted an updated network of 51 MPAs for Southern California. The adopted MPAs encompass approximately 355 square miles (15 percent) of state waters between Point Conception and U.S.-Mexico border and around the Channel Islands, almost double the prior 181.5 square miles. A map of the adopted MPAs is available at: http://www.dfg.ca.gov/mlpa/pdfs/scmpas121510.pdf. The Department of Fish and Game sets various limits on the take of marine life and activities allowed within MPAs, and the new regulations are expected to take effect in mid-2011. A California Department of Fish and Game press release is available at: http://www.dfg.ca.gov/news/news10/2010121501-Commission-Approves-SCMPA.html.

Fourteen MPAs are in the San Diego Region. Most are previously existing MPAs that were retained and/or expanded. Some existing MPAs were linked (e.g., Heisler Park is now included in the Laguna Beach MPA), and some were de-designated (e.g., MPAs at Doheny and Agua Hedionda Lagoon were removed). New MPAs were added at south La Jolla, Famosa Slough, and the mouth of the Tijuana River.

The San Diego Region's Basin Plan will be amended so that all MPAs are designated to support the beneficial use of "Preservation of Biological Habitats of Special Significance" (BIOL). The San Diego Water Board takes into account the BIOL beneficial use to confer a greater level of protection when evaluating applications for discharge permits and Clean Water Act section 401 Water Quality Certifications. At this time, the Commission's action does not increase the number

of MPAs also designated by the State Water Board as Areas of Special Biological Significance (ASBS) and subject to the ASBS discharge prohibition of the Ocean Plan.

6. Effects of the December 2010 Storms – Raw Sewage Spills, Treated Sewage Spills and Capacity Issues at Plants, and Channel Maintenance/Flooding

Staff Contact: Brian Kelley, Chiara Clemente, Bob Morris, Christopher Means

The December 2010 storms caused widespread flooding, damage to property, and adverse effects to surface waters throughout the San Diego region. The San Diego Water Board provided assistance to the regulated community and answered questions from the public regarding water quality issues related to the rainfall events. San Diego Water Board program areas involved in responding to storm related issues included the National Pollutant Discharge Elimination System (NPDES) storm water program, the Clean Water Act Section 401 water quality certification program, the NPDES wastewater program, the waste discharge requirements (WDRs) land disposal program and the sanitary sewer overflow (SSO) program. Following is a summary of the storm-related issues reported by the regulated community and/or observed by the San Diego Water Board through inspections, press reports and other sources.

NPDES Storm Water and CWA Section 401

The December 2010 storms caused significant flooding, erosion, and discharge of polluted storm water throughout San Diego, Orange, and Riverside Counties. The flooding, erosion and pollutant discharges resulted from the extensive rains falling on newly impervious surfaces created over the past 30 years of land development. Excessive impervious surfaces cause increased runoff and higher velocities, than do natural surfaces, from the same amount of rain. Increased runoff and velocities cause hydromodification of the State's receiving waters and increase the threat to life, health, property, and/or public services. Also, development increases discharges of pollutants to and from municipal separate storm sewer systems (MS4s) into receiving waters.

The latest generation of MS4 NPDES permits in the San Diego region addresses this issue by including Low Impact Development (LID) standards and hydromodification requirements for new development and redevelopment, along with the requirement for MS4 Copermittees to consider retrofit opportunities. There is no current requirement, however, for Copermittees to retrofit upstream areas to maintain historic downstream peak flows and durations.

Due to the storms, the San Diego Water Board received and processed numerous Clean Water Act Section 401 emergency certification requests to conduct stream bank stabilization, channel maintenance, and bridge repairs. Applicants include North County Transit District (NCTD), City of San Diego, Orange County, Riverside County, San Dieguito River Park Joint Powers Authority (JPA), and La Costa Resort. Conditions on this emergency certification require applicants to maintain compliance with water quality standards, minimize the emergency work to only that necessary to alleviate the emergency conditions, initiate repairs within seven days of

authorization, and report on their fill activities. The San Diego Water Board retains the discretion of requiring retroactive mitigation for permanent impacts done under these emergency certifications.

Unfortunately, emergency repairs often prolong or exacerbate hydromodification and erosion problems, because the focus of the emergency repairs is on immediate measures to protect the current conditions. Once the emergency conditions have been stabilized, little emphasis is placed on providing a long-term solution that considers retrofits and redesigns. A common example of this short-sightedness is the emergency placement of rip-rap for bank stabilization. Although its placement results in immediate stabilization of the undermined structure(s), the erosion problem from high velocity flows is often pushed further downstream, thereby creating problems elsewhere. Eventually, the original rip-rap often needs replacement.

Based on observations from field inspections and press coverage, many emergency repair activities are conducted without proper (emergency) permits. San Diego Water Board staff continues to notify agencies conducting such work to make them aware of permitting requirements.

NPDES Wastewater and WDRs for Land Disposal

Based on information received to date, wastewater treatment and disposal facilities in the San Diego Region regulated by NPDES permits and waste discharge requirements were able to weather the December 2010 storms without substantial adverse effects or illicit discharges of wastewater to surface waters. Sewage Treatment Plants (STPs) often reach their design capacity during and after significant rainfall events, so the responsible parties must use all available emergency storage and take immediate corrective actions to prevent wastewater spills to surface waters and exceedances of permit limitations.

During the recent storm events, the San Diego Water Board received preliminary reports from STP dischargers that their systems were approaching or had reached design capacity, and there may have been discharges of treated effluent to nearby surface waters to avoid facility damage. Based on follow-up information obtained to date, however, most STP treatment and disposal facilities regulated by the San Diego Water Board were apparently able to take the necessary steps to avoid any illicit discharges due to capacity issues. One agency reported a pipe break caused by the undermining of a concrete channel that ultimately resulted in the release of 899,000 gallons of treated wastewater to surface waters. One agency reported excess flows to an ocean outfall that caused a surcharge of 1,800 gallons of treated sewage to be released from the outfall structure. Of the 1,800 gallons, 1,750 gallons was returned to the STP for treatment and 50 gallons overflowed to the Pacific Ocean.

Sanitary Sewer Overflows

The facilities most challenged were the collection systems associated with STPs. Excessive rainfall can infiltrate and flow into the collection system of STPs causing pipes, pump stations, treatment plant processing and disposal systems to exceed their design capacities. Also, pipes and other infrastructure become damaged due to excessive flooding of streets and storm drains, washout of buried lines in creeks and rivers, downed power lines, and other storm-related structural damage.

Sanitary sewer overflows (SSOs) caused by excessive inflow and infiltration of storm water into the collection system or by storm damage to collection system infrastructure were reported by a number of San Diego Region regulated agencies. During the period from December 21 through December 28, 2010, six sewage collection agencies reported a total of 17 SSOs caused by excessive rain water infiltration with a total volume of 1,507,680 gallons of untreated sewage overflowed. Five sewage collection agencies reported a total of nine SSOs caused by storm related damage with a total of 6,828,040 gallons of raw sewage spilled. Of this total volume, 5,500,000 gallons was released when a 15-inch diameter gravity sewer line broke after it became exposed in Buena Vista Creek. Detailed information regarding sanitary sewer overflows that have been certified by sewage collection agencies can be accessed at https://ciwqs.waterboards.ca.gov/ciwqs/readOnly/PublicReportSSOServlet?reportAction=criteria&reportId=sso_main .

7. Development of a Coordinated and Cost-Effective Monitoring and Assessment Plan in the San Diego River Watershed

Staff Contact: Lilian Busse, Cathryn Henning, Bruce Posthumus

The San Diego Water Board has initiated a project to improve monitoring and assessment of surface waters in the San Diego River watershed through collaboration and coordination with stakeholders. The goal of the project is not to conduct sampling but to develop a coordinated and cost-effective monitoring and assessment plan for the San Diego River watershed. The implementation of the monitoring and assessment plan will begin in 2012. The project is intended to ensure that such monitoring produces important basic information about the health of the San Diego River watershed and that it does so in a cost-effective manner. This project will also serve as a model for future projects to improve monitoring and assessment in other watersheds, and in types of waters other than those found in this watershed, as part of the larger effort of the San Diego Water Board to better assess the health of San Diego Region waters. This was previously discussed at the September 8, 2010 meeting of the San Diego Water Board under item 18. (See:

http://www.waterboards.ca.gov/sandiego/board_info/agendas/2010/sep/Sep08.shtml.)

A number of entities currently monitor surface waters in the San Diego River watershed in a manner largely uncoordinated between the entities. Some of this monitoring is done in connection with San Diego Water Board regulatory requirements, such as permits for discharges from municipal separate storm sewer systems (MS4s) and a wastewater treatment plant. Other monitoring, such as that done by NGOs, water supply entities, and an academic group, is independent of San Diego Water Board regulatory requirements. Collaboration and coordination with stakeholders that conduct monitoring and have an interest in the health of surface waters in the watershed will be the critical parts of this project.

The first stakeholder meeting for this project was held on December 1, 2010 in Santee. Approximately twenty-five stakeholders from different entities attended the meeting, including the Cities of San Diego, Santee, La Mesa, and El Cajon; County of San Diego; San Diego State

University; San Diego River Park Foundation; San Diego Coastkeeper; Helix Water District; Padre Dam Municipal Water District and various other individuals. Cathryn Henning and Bruce Posthumus from the MARU (Monitoring, Assessment and Research Unit) served as the representatives for the San Diego Water Board. This first meeting was very well received by the stakeholders. Starting in 2011, meetings for this project will be held on the 4th Wednesday of every month. This project is funded by the Surface Water Ambient Monitoring Program (SWAMP) of the San Diego Water Board. SWAMP funding has enabled the San Diego Water Board to obtain assistance from the Southern California Coastal Water Research Project (SCCWRP) and Dr. Brock Bernstein. SCCWRP and Dr. Bernstein are known for their expertise and experience in surface water monitoring and assessment, and in multi-stakeholder collaborative efforts to improve monitoring and assessment, including a similar (very successful) project for the San Gabriel River watershed in the Los Angeles Region. (See: http://www.lasgrwc2.org/Files/document/SGRRMP%20Plan%20Document_SGRRMP%20plan.pdf
and http://acwi.gov/monitoring/conference/2008/presentations/sessionD/D5A_Johnson.pdf.)

8. State Water Board Approves Basin Plan Amendment Incorporating Bacteria TMDL Project I for Twenty Beaches and Creeks in San Diego Region

Staff Contact: Deborah Jayne

At a hearing on December 14, 2010, the State Water Board voted to approve the San Diego Water Board's *Basin Plan Amendment Incorporating the Revised Total Maximum Daily Loads (TMDLs) for Indicator Bacteria Project I – Twenty Beaches and Creeks in the San Diego Region (including Tecolote Creek). Bacteria TMDL Project I*, as it is also known, was adopted by the San Diego Water Board on February 10, 2010.

Like all Basin Plan amendments adopted by the San Diego Water Board, *Bacteria TMDL Project I* is subject to three additional approvals before taking effect; first by the State Water Board, followed by the Office of Administrative Law (OAL), and finally by the U.S. Environmental Protection Agency (U.S. EPA) for amendments related to surface waters. For purposes of state law, TMDLs become effective upon OAL approval.

Once in effect, the TMDLs must be implemented or made enforceable. This is accomplished when the San Diego Water Board incorporates the regulatory provisions of the TMDLs (i.e., TMDLs, waste load allocations, load allocations, monitoring requirements, and compliance schedule) into new or existing enforceable regulatory orders such as an MS4 Storm Water NPDES permit or conditional waiver. The dischargers subject to these orders are then required to take the steps needed to reduce their contributions of the impairing pollutant(s) to the levels now specified in the orders (and originally specified in the TMDLs). Eventually, when each of the dischargers in the watershed complies with the specified levels, water quality standards in the impaired receiving waterbody should once again be restored (i.e., water quality objectives should be attained and beneficial uses protected).

Part C – Statewide Issues of Importance to the San Diego Region

1. Monitoring Constituents of Emerging Concern (CECs) in Recycled Water

Staff Contact: Robert Pierce

The State Water Board is considering recommendations for requiring recycled water agencies to monitor CECs in recycled water that is being used for groundwater recharge/reuse and landscape irrigation projects throughout the State. These recommendations are contained in a State Water Board Staff Report dated November 8, 2010, which is available on the State Water Board website, http://www.waterboards.ca.gov/water_issues/programs/water_recycling_policy/recycledwater_cec.shtml .

The identified CECs to be included in monitoring requirements is based upon a report by a science advisory panel (Panel) entitled, *Monitoring Strategies for Chemicals of Emerging Concern (CECs) in Recycled Water* and recommendations provided by the California Department of Public Health (CDPH). The list of CECs consists of surrogate parameters and constituents and their expected removal percentage. Each selected performance-based indicator CEC represents a group of CECs. The removal of the performance-based indicator CEC through a treatment process will provide an indication of the removal of the other CECs in the group. Monitoring of selected performance indicator CECs will demonstrate the ability of the treatment processes to remove CECs; and monitoring of surrogate/operational parameters, such as turbidity, dissolved organic carbon, and conductivity will verify that treatment units are working as designed.

In addition to the proposed list of CECs to be monitored, the State Water Board is considering recommendations related to the following:

- The appropriate monitoring locations for evaluating recycled water quality for CECs for groundwater recharge/reuse projects.
- The monitoring frequency for initial assessment and baseline operations.
- An approach for evaluation and response to monitoring results.
- Additional research on bioanalytical methods for use as screening tools for monitoring CECs, which would screen for potential toxicological effects such as genotoxicity and endocrine disruption.

Most of the proposed surrogate parameters and constituents pertains to groundwater recharge/reuse projects. At present, there are no such projects in the San Diego Region, however, the Helix Water District is planning to use recycled water to augment the El Monte Valley groundwater basin near Lakeside, California. The monitoring parameters currently proposed as

surrogates for landscape irrigation projects are limited to chlorine residual, total coliform, and turbidity.

The State Water Board held a public hearing December 15, 2010 to accept comments on the recommendations. In response to comments already received, the State Water Board decided to extend the public comment period to January 10, 2011 and directed its staff to bring back a revised Staff Report for reconsideration at a future board meeting. Once approved, the final recommendations will be incorporated into the State Water Board's Recycled Water Policy, requiring the regional boards to prescribe the CEC monitoring as part of the recycled water agencies' monitoring and reporting programs.

The WateReuse Association is hosting a seminar on February 1, 2011 at the Orange County Water District in Fountain Valley, California to discuss the implementation plan for the advisory panel's recommendations. The workshop will cover new monitoring and reporting requirements, strategies for engaging the Water Boards, and strategies for communicating the data and risk with stakeholders. For more information on the seminar see,

http://www.watereuse.org/sites/default/files/u8/Save%20the%20Date%20WR%202_2011%20v4.pdf.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

Significant NPDES Permits, WDRs, and Actions of the San Diego Water Board

January 12, 2011

APPENDED TO EXECUTIVE OFFICER'S REPORT

DATE OF REPORT
January 4, 2011

TENTATIVE SCHEDULE
SIGNIFICANT NPDES PERMITS, WDRS, AND ACTIONS
OF THE SAN DIEGO WATER BOARD

Action Agenda Item	Action Type	Draft Complete	Public Review & Comment	Consent Item
February 9, 2011 Regional Board Meeting ***San Diego Water Board Office***				
Use of Expedited Payment Letters by the Regional Board *(Haas & Hagan)*	Informational Item	NA	NA	NA
Waste Discharge Requirements for Wineries in the San Diego Region *(Grove)*	Informational Item	NA	NA	NA
WDR Rescissions: Navy Milcon Project P-326, Navy Milcon Project P-700A, Port District 10 St. Terminal, and Navy Homeporting Project *(Amanda Dai)*	WDR Rescission	90%	0%	Yes
Negative Declaration for Waiver for Alternative On-site Wastewater Treatment Systems in Riverside County *(Fisayo Osibodu)*	Neg. Dec. Adoption	100%	50%	No
Waiver for Alternative On-site Wastewater Treatment Systems in Riverside County (*Fisayo Osibodu*)	New General Waiver	100%	50%	No
Former Teledyne Ryan Facility (*Tom Alo*)	Neg. Dec. Adoption	100%	10%	No
Former Teledyne Ryan Facility (*Tom Alo*)	CAO Addendum	90%	0%	No
Election of Regional Board Chair *(Gibson)*		NA	NA	NA
March 9, 2011 Regional Board Meeting ***San Diego Water Board Office***				
NPDES General Permit for Fireworks - San Diego Region *(Michelle Mata)*	NEW NPDES General Permit	75%	40%	No
Poseidon Mitigation Site Approval *(Eric Becker & Chiara Clemente)*	Tentative Resolution	0%	50%	No
Jack Eitzen, Administrative Civil Liability, for violations of Order 99-08-DWQ (*Rebecca Stewart)*	Administrative Civil Liability	20%	75%	no
Jack Eitzen, Administrative Civil Liability, for violations of Basin Plan Prohibitions 1 and 14 and Order No. 99-08-DWQ.(*Rebecca Stewart)*	Administrative Civil Liability	20%	75%	no
Healthy Times, Inc., Administrative Civil Liability, for violations of Order 97-03-DWQ (Frank Melbourn*)*	Administrative Civil Liability	20%	15%	no
April 13, 2011 Regional Board Meeting ***San Diego Water Board Office***				
Status Report on Harbors and Bays Monitoring *(Posthumus)*	Informational Item	NA	NA	NA
US Navy--Naval Base San Diego (including Graving Dock) - San Diego Bay *(Kristin Schwall)*	NPDES Permit Reissuance	80%	0%	maybe
Negative Declaration for WDRs for Alternative On-site Wastewater Treatment Systems in the San Diego Region *(Fisayo Osibodu)*	Neg. Dec. Adoption	50%	0%	No
WDRs for Alternative On-site Wastewater Treatment Systems in the San Diego Region *(Fisayo Osibodu)*	New General WDRs	50%	0%	No

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS FOR THE PERIOD OF November 1, 2010 THROUGH December 31, 2010

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres)[1]	MITIGATION (Acres)[1]	CERTIFICATION ACTION[2]
11/2/2010	City of San Diego, Engineering and Capital Projects Department	Buchanan Canyon Sewer Replacement-B	The Buchanan Canyon Sewer Replacement-B Project proposes to improve the sewer systems in the Hillcrest community. This project is part of the ongoing canyon diversion program to upgrade mains with high frequency maintenance problems.	Tributary to storm drain channel and the San Diego River Mission San Diego HSA (907.11)	(T) 0.02 acre (250 linear feet)	Off-site: Enhancement of 0.02 acre (250 linear feet) at Rancho Mission Canyon Wetland Site	10C-075 Certified by Default
11/11/2010	Department of the Navy	NASNI Security Barrier Replacement	The proposed action would involve the replacement of the previously authorized dunlop anti-boat barrier system (DABBS) which serves as Naval Base Coronado's protection barrier for the aircraft fleet berthed at Naval Air Station North Island.	San Diego Bay Coronado HA (910.10)	No additional impacts proposed.	No significant impacts to water are anticipated therefore no mitigation is required.	10C-073 Certified by Default
11/15/2010	City of San Diego Public Utilities Department	Siempre Viva Road Pipe Replacement	While working from the roadway, the city will replace approximately 30 feet of corrugated PVC with Ductile Iron pipe and install 2 new manholes. Gravel Bags will be placed at either side of the existing pipes to prevent the movement of any sediment during construction.	Tijuana River Water Tanks HSA (911.12)	(T) 0.0046 acre	Off-site: Preservation of 0.0046 acre at San Diego River Wetland Creation Mitigation Site	10C-066 Certified by Default

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF November 1, 2010 THROUGH December 31, 2010

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres)[1]	MITIGATION (Acres)[1]	CERTIFICATION ACTION[2]
11/18/2010	Blue 3 Productions, Inc.	Red Bull New Year No Limits	The project involves the creation of a temporary multi-use venue consisting of takeoff and landing ramps, spectator areas, broadcast equipment areas, video screens, food and beverage tents, temporary public restrooms, generators, sound and lighting equipment, and safety fencing to support the event.	San Diego Bay Lindbergh HSA (908.21)	No significant impacts.	No significant impacts to water are anticipated therefore no mitigation is required.	10C-104 Enrollment in State Pre-certified Nationwide Permit #11
12/1/2010	Palomar Community College District	North Education Center	The proposed project is the construction of the North Education Center (a community college) and Horse Ranch Creek Road in two phases. Phase one will be the construction of Horse Ranch Creek Road and approximately one-half of the campus. Phase two will complete construction of the campus. Horse Ranch Creek Road would serve as the main access to the Palomar College site. The road would be constructed off-site, adjacent to the eastern boundary of the project site from the existing northern segment of Pankey Road to the north to SR 76/Pala Road to the south.	Horse Ranch Creek and several unnamed tributaries Bonsall HSA (903.12)	(P) 0.33 acre alkali meadow, 0.25 acre freshwater marsh, 0.60 acre southern cottonwood willow riparian forest, 0.35 acre southern willow scrub, and 0.02 acre streambed	On-site: Establishment of 0.76 acre of Alkali meadow, enhancement 1.96 acres Alkali meadow, 0.78 acre Southern cottonwood-willow riparian forest, 0.52 acre of disturbed Coyote bush scrub, and 0.14 acre of non-native grassland/pasture. Off-site: Establishment of 0.60 acre of Southern cottonwood-willow riparian forest and 0.35 acre of Southern willow scrub.	10C-045 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 November 1, 2010 THROUGH December 31, 2010

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres)[1]	MITIGATION (Acres)[1]	CERTIFICATION ACTION[2]
						Enhancement of 1.62 acres of Southern cottonwood-willow riparian forest and 1.40 acres of Southern willow scrub. The overall compensatory mitigation is 8.13 acres of establishment and enhancement.	
12/8/2010	BAE Systems San Diego	Dry Dock Maintenance Dredging Project	The proposed project is the maintenance dredging of approximately 7,000 cubic yards of marine sediment from the existing dry dock sump located between Pier 2 and Pier 3 within BAE Systems leasehold. The sump is a deep depression in the harbor bottom that is used to lower the dry dock into during ship loading and unloading operations.	San Diego Bay	7,000 Cubic Yards of Marine Sediment	The removal of contaminated marine sediment renders this project self-mitigating.	10C-017 Technically-conditioned Certification & Enrollment in SWRCB GWDR Order No. 2003-017 DWQ
12/10/2010	Canyon Palms Properties, LLC	31372 Trigo Trail	The project involves the redevelopment of a single family residence at 31372 Trigo Trail in the community of Coto de Caza, Orange County. The project will recreate a severely degraded on-site ephemeral drainage by placing approximately two-thirds of the drainage in a 36-	Unnamed tributary to Canada Gobernadora Gobernadora HSA (901.24)	(P) 0.01 acre (303 linear feet) of streambed	On-site: Creation of 0.04 acre low-flow vegetated and un-vegetated streambed.	09C-007 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 November 1, 2010 THROUGH December 31, 2010

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres)[1]	MITIGATION (Acres)[1]	CERTIFICATION ACTION[2]
			inch buried pipe and lining the remainder with grouted rip-rap.				
12/13/2010	California Department of Transportation (CALTRANS), District 11	State Route 76 (SR-76) Melrose Drive to South Mission Road Project	Amendment to the original certification to change the temporary impacts and the compensatory mitigation. Caltrans requests to remove an unauthorized levee and re-grade an unauthorized pond to restore a property newly acquired by Caltrans back to its original grade. A tenant living on the acquired property had illegally constructed the levee and pond for a gravity flow water system to his house.	Bonsall Creek Bonsall HSA (903.12)	Certified Impacts (P) 0.06 acre Ordinary High Water Mark (OHWM), 0.42 acre unvegetated water, and 1.35 acres wetlands. Amended Impacts (T) 0.04 acre of OHWM, 0.498 ~~0.45~~ acre of unvegetated waters, and 3.82 acres wetlands.	On-site: Restoration of all temporary impacts to pre-project conditions. Off-site: Purchase of 1.83 acres of riparian mitigation credits at the Pilgrim Creek Mitigation Bank	09C-015 Amendment to Technically Conditioned Certification
12/14/2010	BH Partnership Bahia Hotel	Complete Dock Access Replacement Work at the Bahia Resort	The proposed project is the removal of the remaining elements of the failed pier and gangway access to the floating docks at the Bahia Resort, removal of the temporary access dock and gangway, replacement of a new access causeway, and mitigation of impacts to eelgrass habitat by on-site eelgrass restoration under the southern California Eelgrass Mitigation Policy.	Mission Bay Scripps HA (906.3)	No additional impacts proposed.	No significant impacts to water are anticipated therefore no mitigation is required.	10C-108 Enrollment in State Pre-certified Nationwide Permit #28

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF November 1, 2010 THROUGH December 31, 2010

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres)[1]	MITIGATION (Acres)[1]	CERTIFICATION ACTION[2]
12/23/2010	City of Murrieta	Guava Street Improvement Project	The project will elevate and replace an existing paved section of Guava Street and its approaches beginning at the intersection with Adams to the west and extending to Jefferson Avenue to the east. Currently an unnamed blue-line stream (referred to by Riverside County Flood Control and Water Conversation District as "Line D") bisects Guava Street from the north and flows over and westerly along-side the roadway, before reaching an improperly sized culvert, where flows are directed at a ninety degree angle south to Murrieta Creek. The project will raise Guava Street and result in the construction of an underground box culvert from the intersection of the streambed to Murrieta Creek. The construction of the box culvert will require the placement of fill, resulting in 0.26 acre (493 linear feet) of permanent impacts to the Line D stream.	Unnamed tributary to Murrieta Creek French HSA (902.33)	(P) 0.26 acre (493 linear feet) of streambed	Off-site: Establishment of 0.86 (952 linear feet) of streambed	09C-015 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 November 1, 2010 THROUGH December 31, 2010

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres)[1]	MITIGATION (Acres)[1]	CERTIFICATION ACTION[2]
12/29/2010	City of San Diego	Rountine Maintenance of Storm Water Facilities, Maps 6 & 6a in Sorrento Valley	An amendment in response to the San Diego Water Board reanalyzing CEQA's applicability to this Certification. The emergency exemption only applies to the necessary channel maintenance events that took place in 2010 to maintain service that was essential to public health, safety, or welfare. The amendment effectively changes the certifications from a multi-event project, to a one-time-only project, where impacts have already occurred.	Unnamed tributary to Penasquitos Creek Miramar HSA (906.10)	No additional impacts certified.	No additional mitigation required.	10C-052 Amendment to Technically Conditioned Certification
12/31/2010	City of San Diego	Rountine Maintenance of Storm Water Facilities, Map 134, Nestor	An amendment in response to the San Diego Water Board reanalyzing CEQA's applicability to this Certification. The emergency exemption only applies to the necessary channel maintenance events that took place in 2010 to maintain service that was essential to public health, safety, or welfare. The amendment effectively changes the certifications from a multi-event project, to a one-time-only project, where impacts	Unnamed tributary to Otay River Otay Valley HSA (910.20)	No additional impacts certified.	No additional mitigation required.	10C-059 Amendment to Technically Conditioned Certification

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF November 1, 2010 THROUGH December 31, 2010

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres)[1]	MITIGATION (Acres)[1]	CERTIFICATION ACTION[2]
			have already occurred.				

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. Certified by default 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 November 1, 2010 and November 30, 2010: 7
Number of Amendment Requests Received Between November 1, 2010 and November 30, 2010: 0
Number of Projects Received Between December 1, 2010 and December 30, 2010: 6
Number of Amendment Requests Received Between December 1, 2010 and December 30, 2010: 0

Number of Projects Received Between November 1, 2010 and December 31, 2010: 13
Number of Certifications Issued Between November 1, 2010 and December 31, 2010: 5
Number of Amendments Issued Between November 1, 2010 and December 31, 2010: 3
Number of Projects Withdrawn Between November 1, 2010 and December 31, 2010: 2
Number of Projects Certified by Default Between November 1, 2010 and December 31, 2010: 3
Number of Projects Denied Between November 1, 2010 and December 31, 2010: 0

Number of Projects Received Between January 1, 2009 and December 31, 2010: 85
Number of Certifications Issued Between January 1, 2009 and December 31, 2010: 38
Number of Projects Withdrawn Between January 1, 2009 and December 31, 2010: 2
Number of Projects Certified by Default Between January 1, 2009 and December 31, 2010: 9
Number of Projects Denied Between January 1, 2009 and December 31, 2010: 2