

San Diego  
Regional Water Quality  
Control Board



Executive Officer's  
Report

April 9, 2008

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

	There are no items to report in Part C this month.	
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**Attachments** for A-2, B-1, and B-6 are included at the end of the report. Also included as an attachment are the Significant NPDES Permits, WDRs and RB Actions.

# SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

## EXECUTIVE OFFICER'S REPORT

April 9, 2008

### PART A

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

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

On March 11, 2008 James Smith attended the Steering Committee Meeting of the Southern California Storm Water Monitoring Coalition. The meeting was also attended by representatives of the Los Angeles Regional Water Quality Control Board (Region 4), Riverside County Flood Control District, County of Orange, the Southern California Coastal Water Research Project (SCCWRP), San Bernardino Flood Control District, Los Angeles County Department of Public Health, CalTrans, and the City of Los Angeles. Significant issues discussed included the following:

- A draft web site layout was presented and discussed.
- An MOU with USEPA Office of Research and Development had been executed - facilitating the transfer of information on the effectiveness of storm water management practices.
- Renewal of the SMC Master Agreement nears completion.
- An update was provided on development of Low Impact Development Guidance and Training for Southern California.
- Several possible new studies were discussed. These included BMP effectiveness testing, trash monitoring protocols and post fire monitoring.

On March 13, 2008, James Smith, David Gibson, Laurie Walsh, Ben Neill and Tony Felix participated in the State wide Urban Runoff Task Force Roundtable Meeting via teleconference with staff from other Regional Boards and the SWRCB. Several issues were discussed and included the following:

- The draft General Construction Storm Water Permit has been revised in response to Regional Board and management comments. A turbidity numeric effluent limit and action levels are now included. The draft was released for public review on March 18, 2008, and a Southern California workshop and Public Hearing will be held on May 7, 2008 in Los Angeles.
- The reissuance of the CalTrans Storm Water Permit is still in process. Additional information regarding Poly Aromatic Hydrocarbons (PAHs) was requested from CalTrans and may be incorporated into the draft permit.
- A Storm Water Advisory Task Force (SWATF) has been created in response to Assembly Bill 739. The SWATF will provide advice to the State Water Resources Control Board on its Storm Water Management Program and will receive public input via workshops. The first workshop is scheduled for April 8, 2008 in the Cal EPA Sierra Hearing Room in Sacramento.

- The California Integrated Waste Management Board gave a presentation on composting. The manufacture of compost is subject to the General Industrial Storm Water Permit, but the application of compost is not.
- The California Integrated Water Quality System (CIWQS) database has been updated. Data can now be more easily exported into Excel.
- Staff training will be provided by the Training Academy on auditing MS4 Permits on May 20 – 22 in San Diego.

On March 17, 2008, John Robertus, Mike McCann, David Barker and Storm Water staff from the Northern Watershed Unit met with their counterparts from the Los Angeles and Santa Ana Regional Boards to discuss the status of Municipal Storm Water Permits in Southern California. The meeting was initiated by the San Diego Region in response to comments heard at the February 13<sup>th</sup> Board Meeting concerning the reissuance of the MS4 Permit for Southern Orange County. Topics discussed included consistency among permits, flow control, municipal action levels and effluent limitations. Another meeting of this group is scheduled for April 10, 2008.

On March 20, 2008, Christina Arias and Laurie Walsh of the Southern and Central Watershed Units attended the bi-monthly meeting coordinated by the San Diego County Municipal Copermittees. Ms. Walsh introduced herself as the new Regional Board municipal storm water program contact for the Central Watershed Unit. Ms. Arias and Ms. Walsh also answered questions pertaining to the Regional Board's review of the Jurisdictional Urban Runoff Management Plans (JURMPs), which were submitted on March 24, 2008.

On Tuesday, March 25, Ben Neill attended a low impact development (LID) presentation by Larry Coffman, a nationally recognized expert on bioretention and low impact design guidelines. The presentation was attended by approximately fifty local engineers, consultants, developers, city planners and storm water managers. Representatives from the Cities of Chula Vista, Poway, Escondido, Carlsbad, San Marcos, La Mesa, Santee, Lemon Grove and the County of San Diego attended this presentation. Topics discussed included an overview of LID implementation on the East Coast, examples of LID in retrofit and redevelopment projects, and techniques to incorporate LID into site design and planning.

On Wednesday, March 26, Ben Neill met with the Riverside municipal copermittees. In attendance were Jason Uhley from the Riverside County Flood Control District, Mike Shetler from the County of Riverside, Farida Naceem from the City of Murrieta, Aldo Licitra from the City of Temecula and Bob Collacott of URS consultants. The meeting provided Mr. Neill an opportunity to introduce himself to the Copermittees as the Regional Board's new contact for storm water issues in the Riverside County portion of the San Diego Region. Mr. Uhley gave a presentation on the Santa Margarita Watershed within Riverside County, copermittee compliance with the municipal storm water permit, and current

issues and trends within the watershed. The meeting laid the groundwork for future dialogues with the Riverside copermittees leading up to the reissuance of the Riverside Municipal Storm Water Permit in 2009.

On March 28, Chad Loflen, Christina Arias, Ben Neill and Jeremy Haas attended the "Mod Squad" State-wide Hydromodification workgroup meeting via internet conference call. Representatives from the USEPA, SWRCB, CDFG and other Regional Boards were in attendance. The purpose of the Mod Squad is to serve as a forum for new ideas, questions and challenges regarding hydromodification and to provide updates and coordination between agencies. Topics discussed at this meeting included LID, smart growth, stream naturalization and effective impervious area.

## 2. New Organizational Structure of the San Diego Regional Board *(Michael McCann) (Attachment A-2)*

On April 7 a new organizational structure of the Board's technical staff was begun. This new structure further expands a watershed concept of organization to a new set of technical programs. Whereas for some years our surface water staff and related programs have been formed along a watershed/area basis, this new structure integrates the Board's ground water staff and programs by watersheds. To accomplish this integration of the watershed concept, the new structure now consists of three technical branches. Our previous structure had staff divided into two major technical branches. With three major technical branches the span of leadership, control and support of staff has been greatly increased. Attached is a copy of the new organizational chart.

The implementation of the new structure has resulted in the reassignments of a number of senior and line staff members. Julie Chan has been promoted to Branch Chief of the Ground Water Basins Branch, and Bruce Posthumus has been named to the newly created position of Monitoring Coordinator. This new position will guide staff in a major effort to expand our capabilities in the conduct of monitoring as a major function of our water quality program.

David Barker has moved to the Surface Water Basins Branch as the Branch Chief. Until a permanent appointment can be made, Mark Alpert and others will be in an acting capacity to serve as the Branch Chief of the Water Quality Restoration and Standards Branch.

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

### 1. Clean Water Act Section 401 Water Quality Certification Actions Taken in February and March 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 that specific activity

complies with all applicable state water quality standards, limitations, requirements, and restrictions. The most common federal permit that requires a 401 Certification is a CWA Section 404 permit, issued by the Army Corps of Engineers, for the placing of fill (sediment, rip rap, concrete, pipes, etc.) in Waters of the U.S. (i.e. Ocean, bays, lagoons, rivers and streams).

Upon receipt of a complete 401 certification application, the Regional Board may either certify the project or deny certification, with or without prejudice. In cases where there are impacts to Waters of the U.S., the Regional Board may issue a conditional certification. The certification can be either in the form of a conditional certification document approved by the Regional Board Executive Office, or Waste Discharge Requirements (WDRs), adopted by the Regional Board. And, in the case where a federal permit is not required because impacts have been determined to be only to Waters of the State, the Regional Board may adopt WDRs. Table B-2 (attached) contains a list of actions taken during the months of February and March 2008. Public notification of pending 401 Water Quality Certification applications can be found on our web site at:

<http://www.waterboards.ca.gov/sandiego/programs/401cert.html>. Starting in January 2008, issued certifications can also be found on our web site at: <http://www.swrcb.ca.gov/rwqcb9/programs/401cert/certprojects/401projects.html>.

## 2. Enforcement Actions for March 2008 (Mark Alpert)

The following is a summary of all enforcement actions during the month of March 2008. During this period the Regional Board initiated 14 enforcement actions (7 Staff Enforcement Letters, 5 Investigative Orders, 1 Complaint for Administrative Assessment of Liability, and imposed 1 Administrative Assessment of Liability).

In addition to the summary information provided below, access to information on violations, enforcement actions, and mandatory minimum penalties 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/enforcement/index.html>

On March 4, 2008, Notice of Violations were issued to three entities enrolled In the State's Industrial Storm Water Permit, for failure to pay Industrial Storm Water Permit annual fees for fiscal year 2007. In the future, the Regional Board may consider removal from eligibility to participate in the group monitoring program allowed under the permit, outright rescission of their enrollment in the permit, and/or the imposition of civil liability. The following facilities were served with an NOV.

- **ALL TOYOTA LEXUS AUTO RECYCLING,**  
Mr. Pejman Ghannadian (WDID 9 371018543)  
805 Energy Way in Chula Vista
  
- **ALL TOYOTA LEXUS AUTO RECYCLING,**  
Mr. Pejman Ghannadian (WDID 9 371013823)  
1060 Otay Valley Road, San Diego

- **EL RODEO AUTO WRECKING,**  
Mr. Jose Luis Guzman (WDID 9 371020579)  
1592 Heritage Road, San Diego.

Staff Enforcement Letters (SELs) were issued in March 2008, notifying dischargers of Violations of Effluent limitations in WDR/NPDES permits. These violations are reported to the Regional Board in monitoring reports submitted by the Dischargers. The following facilities were issued Staff Enforcement Letters.

- Fallbrook PUD , Fallbrook Wastewater Treatment plant  
SELs were Issued March 10 and March 24 for violations of NPDES permit No. R9-2006-0002. Their report revealed that a measurement was missed and that a daily max value for chronic toxicity was exceeded. These violations are not subject to Mandatory Minimum Penalties (MMP).
- SOCWA, multiple facilities discharging to the Aliso Creek Ocean Outfall  
A SEL was issued March 10 for a single reporting violation. This violation is not subject to MMP.
- Ortega Oaks RV Park, Lake Elsinore, CA  
A SEL was issued March 10 for violations of RB Order R9-2001-140. These violations are not subject to MMP.

On March 12, 2008, The Regional Board adopted **Order No. R9-2008-0020 in settlement of Administrative Civil Liability complaint No. R9-2007-0101**, issued in the amount of \$29,300 to the Fallbrook Public Utility District (FPUD) for the discharge of 146,625 gallons of raw sewage into Fallbrook Creek, a water of the United States, between June 17 and 20, 2006. The settlement includes: (1) payment of \$20,000 to the State Water Resources Control Board and (2) the suspension of \$9,300 in liability when the FPUD completes specified actions to the satisfaction of the Regional Board.

On March 14, 2008, The Assistant Executive Officer Issued **Administrative Civil Liability Complaint No. R9-2008-0019** recommending assessment of a \$45,000 mandatory minimum penalty against William and Heidi Dickerson, and Perry & Papenhausen Construction, Inc. Monitoring reports submitted by the Dischargers, reported that between Oct 2006 and Feb 2007 eight (8) exceedances of copper effluent limitations had occurred during discharges of extracted groundwater from construction at 501 First Street, Coronado (WDID NO. 9 000001411) to San Diego Bay. The Dischargers have until April 14, 2008 to notify the Regional Board of whether they will waive their right to a hearing and pay the recommended amount. If they do not, a hearing is scheduled for the May 13, 2008 Regional Board meeting.

On March 20, 2008, Investigative Orders were issued to the owners/operators at the following facilities to investigate petroleum hydrocarbon releases from underground storage tank systems on their properties. The first reports describing the results of the preliminary site assessments are due to the Regional Board in July 2008.

- **R9-2008-0010** Downtown Tire Shop  
Victor H. Mostacero  
2717 Imperial Ave, San Diego
- **R9-2008-0011** El Guero Tire Shop  
Ramiro and Mary Montoya  
2401 Imperial Ave, San Diego
- **R9-2008-0022** North County Auto Service  
Richardson Brothers Investments and E&F Richardson Investments LLC  
1520 South Coast Hwy, Oceanside
- **R9-2008-0023** Gary's Auto/RV Service  
Richardson Brothers Investments and E&F Richardson Investments LLC  
1540 South Coast Hwy, Oceanside
- **R9-2008-0024** Circle K  
Shamoun Family Trust  
4984 Voltaire St., San Diego

### 3. State Route -125 (*Christina Arias*)

On March 11, 2008, Christina Arias and Whitney Gorham inspected the State Route-125 Toll Road (SR-125). The status of the post-construction BMPs has been an area of concern to the Regional Board for several months, and a "lessons learned" report regarding the Regional Board's regulatory oversight of this construction project was provided to the Board members at the March 12, 2008 Board Meeting.

The vegetative condition of the post construction Best Management Practices (BMPs) is improving. The vegetative growth within the bioswales and extended detention basins was found to be much denser during this inspection than has been evident on previous site visits in January 2008 and November 2007. Recent rains have facilitated growth of the vegetation in the BMPs, which are designed to provide water quality treatment and erosion control. The bioswale located beneath the Sweetwater River Bridge, however, was a notable exception. Because construction work beneath the bridge was only recently finished, the bioswale was only recently configured and graded, with seeding to take place in the near future.



Finally, Caltrans and Southbay Expressway (SBX; formerly California Transportation Ventures) submitted monitoring reports for assessing the effectiveness of the temporary BMPs for storms in December 2007 and January 2008. Although the vegetative condition of the post construction BMPs is improving at this time, these reports demonstrate that the performance measures described in the 401 Water Quality Certification issued in 2001 were not met at following the opening of the SR 125 for public use as required in the 401 Certification (No. 99C-133) for the project. These deficiencies in performance are subject to enforcement action by the Regional Board.

#### 4. City of San Diego Meeting Regarding Mission Valley Terminal (*Kelly Dorsey*)

As discussed during the Executive Officer's Reports at the March 2008 Regional Board meeting, the City of San Diego (City) requested a meeting to discuss the progress of the cleanup at Mission Valley Terminal (MVT) and the adjacent Qualcomm Stadium property. This meeting was held on March 19, 2008. Representatives from the San Diego City Attorney's office, San Diego Water Department, Intera Engineering (City of San Diego's technical consultant), Eggers Environmental (Regional Board's technical consultants), met with members of Regional Board's Tank Site Mitigation & Cleanup (TSMC) Unit to discuss the status of the MVT cleanup progress, cleanup performance assessment, upgrades and monitoring of the cleanup systems, prevention of off-property recontamination, and compliance with the current Cleanup and Abatement Order.

At the meeting, City representatives presented recommendations for various aspects of the cleanup and monitoring at MVT, most of which focused on tracking the cleanup progress towards the deadlines established in the Cleanup and Abatement Order. The City indicated that they will submit a formal document to the Regional Board that will include the recommendations discussed at the meeting for consideration. Once the City's recommendations have been received and reviewed, Regional Board's TSMC Unit will work with the City and the discharger to develop metrics to track the cleanup progress at MVT.

For further information, please visit the State Water Resource Control Board's Geotracker website at <http://www.geotracker.waterboards.ca.gov/> (type "SL607392800" in the Global ID and choose "Search for All Sites") to obtain recent ground water and remediation status reports in PDF format.

#### 5. Update - Ground Water Ambient Monitoring Assessment (GAMA) Program (*Brian McDaniel*)

The State Board's Ground Water Ambient Monitoring Assessment (GAMA) Program was developed in response to the Groundwater Quality Monitoring Act of 2001 (Sections 10780-10782.3 of the Water Code): a public mandate to assess and monitor the quality of ground water used as public supply for municipalities in California. The goal of the act is to improve statewide ground-water monitoring and facilitate the availability of information about ground-water

quality to the public. The GAMA Program is intended to provide a comprehensive assessment of statewide ground-water quality to help better understand and identify risks to ground-water resources. The State Board is implementing the GAMA Program in coordination with the U.S. Geological Survey and Lawrence Livermore National Laboratory.

Brian McDaniel attended a meeting with Lisa Babcock, Mariela Carpio-Obeso, John Borkovich (State Board) and Kevin Heaton, Jim Bennett, Mark McPherson (County of San Diego – Dept. of Environmental Health) regarding implementation of the next phase of the State Board's Ground Water Ambient Monitoring Assessment (GAMA) Program on March 13, 2008. The purpose of the meeting was to coordinate and help facilitate the sampling of local, domestic ground-water wells which will take place in April/May. Ground water in the Region will be sampled in order to characterize its constituents and identify trends in ground-water quality. The results of these tests will provide information for water agencies to address a variety of issues ranging in scale from local water supply to statewide resource management. The State Board has a two year contract to implement the ground-water sampling program for San Diego County. 168 private ground-water wells have been identified and selected for sampling in San Diego County. This includes the eastern portion of the County covered under the Colorado River Basin Regional Board - Region 7.

The State Board has indicated a need for additional resources to implement the program from Region 9. Additional resources requested include storage space, ice chests, work space, and students or staff (as available) to help collect and transport samples. We plan to help facilitate this sampling effort by using our office as the staging area and participate as resources are available. Brian McDaniel will be the point of contact for this effort.

6. San Diego Bay Shipyard Cleanup Status (Craig Carlisle) (Attachment B-6)

The January 30, 2006 First Amended Order of Proceedings (First Amended Order) provides that the Cleanup Team distribute specified items to all designated parties to conclude Phase II of the proceedings. The tentative Cleanup and Abatement Order, the draft Technical Report, and the electronic indexed record are distributed to all designated parties as described in the attached memorandum.

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

There are no items to report in Part C this month.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

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

April 9, 2008

APPENDED TO EXECUTIVE OFFICER REPORT

**SIGNIFICANT NPDES PERMITS, WDRS, AND RB ACTIONS**

DATE OF REPORT	NAME OF PERMIT/WDR/RB ACTION	Action Type	Initial Document Application Complete	Dish./RWQ Limits and Monitoring Plan Known	Draft Complete	Public Rev. & Comment	BOARD HEARING & ADOPTION	Consent Item	COMMENTS	Staff
<b>April 9, 2008</b>	<b>MAY 14, 2008 RB MEETING</b> San Diego Regional Board Office									
	TOTAL MAX. DAILY LOAD BASIN PLAN AMEND. REFERENCE SYSTEM APPROACH/INSE	Hearing: Basin Plan Amendment	NA	NA	90%	0%	May 14, 2008	No		Chan
	CITIES OF CARLSBAD AND VISTA SEWAGE DISCHARGE TO BUENA VISTA LAGOON	Hearing: Admin. Civil Liability	NA	100%	100%	0%	May 14, 2008	No	Admin. Civil Liability Complaint \$1,100,000	Becker
	NASSCO/GENERAL DYNAMICS CORP. SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	100%	0%	May 14, 2008	No	NPDES Workplan FY 2007-08	Kelley
	CONTINENTAL MARITIME OF SAN DIEGO SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	100%	0%	May 14, 2008	No	NPDES Workplan FY 2007-08	Kelley
	BAE SYSTEMS SAN DIEGO SHIP REPAIR SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	100%	0%	May 14, 2008	No	NPDES Workplan FY 2007-08	Kelley
	<b>JUNE 11, 2008 RB MEETING</b> San Diego Regional Board Office									
	US NAVY NAVAL BASE PT. LOMA SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	80%	0%	June 11, 2008	No	NPDES Workplan FY 2007-08	Kelley
	US NAVY NAVAL BASE SAN DIEGO SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	80%	0%	June 11, 2008	No	NPDES Workplan FY 2007-08	Kelley
	US NAVY NAVAL BASE CORONADO SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	80	0%	June 11, 2008	No	NPDES Workplan FY 2007-08	Kelley
	NORTH COUNTY TRANSIT DISTRICT SPRINTER CONSTRUCTION STORM WATER VIOLATIONS	Hearing: Admin. Civil Liability	NA	NA	100%	0%	June 11, 2008	No	Admin. Civil Liability Complaint \$685,000	Stewart
	TOTAL MAX. DAILY LOAD BASIN PLAN AMENDMENT - BACTERIA AT DANA PT. HARBOR'S BABY BEACH AND SAN DIEGO BAY SHELTER ISLAND SHORELINE PARK	Adoption: TMDL	NA	NA	100%	0%	June 11, 2008	No		Chiu
	<b>AUGUST 13, 2008 RB MEETING</b> San Diego Regional Board Office									
	CITY OF SAN DIEGO POINT LOMA OCEAN OUTFALL PACIFIC OCEAN	NPDES Permit Reissuance	90%	100%	0%	0%	August 13, 2008	No	NPDES Workplan FY 2007-08	Kelley
	CITY OF ESCONDIDO WASTEWATER DISCHARGE VIOLATIONS	Hearing: Admin Civil Liability	NA	NA	100%	0%	August 13, 2008	No	Admin. Civil Liability Complaint \$1,797,150	Stewart
	US NAVY GRAVING DOCK SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	0%	0%	August 13, 2008	No	NPDES Workplan FY 2008-09	Kelley





**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD • SAN DIEGO REGION**  
 9174 SKY PARK COURT, SUITE 100, SAN DIEGO, CALIFORNIA 92123-4340

Linda S. Adams  
 Secretary for  
 Environmental Protection

Arnold Schwarzenegger  
 Governor

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Loi Costa  
 Executive Assistant

MICHAEL McCANN P.E.  
 ASSISTANT EXECUTIVE OFFICER

**GROUND WATER BASINS BRANCH**  
 JULIE CHAN, P.E.  
 SUPERVISING ENGINEERING GEOLOGIST

**INFORMATION SYSTEMS MANAGEMENT**  
 Bob Rossi, Jr.  
 Information Systems Analyst

**WATER QUALITY RESTORATION AND STANDARDS BRANCH**  
 VACANT  
 ENVIRONMENTAL PROGRAM MANAGER

**SURFACE WATER BASINS BRANCH**  
 DAVID BARKER P.E.  
 SUPERVISING WRC ENGINEER

**ORANGE AND RIVERSIDE CO. Ground Water Unit**  
 (Ground water & Soil Cleanup, Recycled Water, Wastewater Discharge Requirements)  
 ROBERT MORRIS P.E. SENIOR WRC ENGINEER  
 Eric Becker, P.E. WRC Engineer  
 Amy Grove Engineering Geologist  
 Sus Peaso Environmental Scientist  
 Staff on Leave (F.O.B.I.) WRC Engineer

**NORTHERN SAN DIEGO CO. Ground Water Unit**  
 (Ground water & Soil Cleanup, Recycled Water, Wastewater Discharge Requirements)  
 JOHN OBERMATTY, P.E. SENIOR ENGR. GEOLOGIST  
 Cheryl Frowell, P.E. WRC Engineer  
 Helen Yu, Ph.D. WRC Engineer  
 Robert Pierce WRC Engineer  
 Kelly Dotsy, P.G. Engineering Geologist

**TOTAL MAXIMUM DAILY LOAD UNIT**  
 (Bath Pin Amendments, Water Quality Assessment, TMDLs)  
 DAVID GIBSON SR ENVIRONMENTAL SCIENTIST  
 Lisa Horms Environmental Scientist  
 Alan Monji Environmental Scientist  
 Benjamin Tobler WRC Engineer  
 Cynthia Gosham-Test Environmental Scientist

**WATER QUALITY STANDARDS UNIT**  
 (Bath Pin Amendments, Water Quality Assessment, TMDLs)  
 DEBORAH MAYNE SR ENVIRONMENTAL SCIENTIST  
 Deborah Woodward, Ph.D. Environmental Scientist  
 Charles Chang, Ph.D. P.G. Engineering Geologist  
 Amy Mackenborg Environmental Scientist  
 Wayne Chiu, P.E. WRC Engineer

**BUSINESS SUPPORT SERVICES**  
 DIANNE BROUSSARD ADMINISTRATIVE OFFICER  
 ADMINISTRATIVE SUPPORT SERVICES  
 Equilla Harris Staff Services Analyst  
 Sylvia Walhitz Digital Composition Spec  
 Rachel Stewart Office Technician  
 Melissa Carrizaj Office Technician  
 Denise Smith Office Technician  
 Amy Cogger Associate Governmental Program Analyst

**NORTHERN WATERSHED UNIT**  
 (Storm Water, CEQA, 401 Water Quality Certification, Dredging, Nonpoint Source)  
 JAMES SMITH SR ENVIRONMENTAL SCIENTIST  
 Anthony Felix WRC Engineer  
 Mariah Mills Environmental Scientist  
 Benjamin Nalli WRC Engineer  
 Chad Lofgren Environmental Scientist

**CENTRAL WATERSHED UNIT**  
 (Storm Water, CEQA, 401 Water Quality Certification, Dredging, Nonpoint Source)  
 CHARRA CLEMENTE SR ENVIRONMENTAL SCIENTIST  
 Peter Pauron Environmental Scientist  
 Michael Porter Engineering Geologist  
 Laurie Walsh WRC Engineer  
 Kristin Schwall, P.E. WRC Engineer  
 Christopher Meas Environmental Scientist  
 Ben James Environmental Scientist

**SOUTHERN WATERSHED UNIT**  
 (Storm Water, CEQA, 401 Water Quality Certification, Dredging, Nonpoint Source)  
 VACANT  
 Dan Quach, P.E. WRC Engineer  
 Christina Arias WRC Engineer  
 Joey Elbert, P.G. Engineering Geologist  
 Lilian Busse, Ph.D. Environmental Scientist

**SOUTH SAN DIEGO CO. Ground Water Unit**  
 (Ground water & Soil Cleanup, Recycled Water, Wastewater Discharge Requirements)  
 JOHN ANDERSON, P.G. SENIOR ENGR. GEOLOGIST  
 Brian McDaniell, P.G. Engineering Geologist  
 Tom Aho WRC Engineer  
 Christopher Kameslyan WRC Engineer  
 Vacancy Environmental Scientist

**CENTRAL SAN DIEGO CO. Ground Water Unit**  
 (Ground water & Soil Cleanup, Recycled Water, Wastewater Discharge Requirements)  
 CRAIG CARLISLE, C.E.G. SENIOR ENGR. GEOLOGIST  
 Beatrice Griffey, P.G. Engineering Geologist  
 Carol Tamaki, P.E. WRC Engineer  
 Lynn Berlad Environmental Scientist  
 Vacancy Engineering Geologist

**MONITORING & SURVEILLANCE**  
 (Monitoring Coordination - Compliance, Ambient, & Regional Efforts)  
 BRUCE ROSTRUMUS, P.E. Senior WRC Specialist

**COMPLIANCE ASSURANCE UNIT**  
 (Enforcement Coordination, Formal Enforcement Orders, Appeals)  
 MARK ALPERT SENIOR ENGR. GEOLOGIST  
 Frank Malbourm, J.D. P.E. WRC Engineer  
 Jeremy Haas Environmental Scientist  
 Rebecca Stewart Sanitary Engineering Associate  
 Joann Confrancesco WRC Engineer

**INFORMATION TECHNOLOGY UNIT**  
 Minette Enriquez Assistant Information Systems Analyst

**CORE REGULATORY UNIT**  
 (NPDES Permits, Waste Discharge Requirements, Waters, Enforcement)  
 BRIAN KELLEY P.E. SENIOR WRC ENGINEER  
 Vicente Rodriguez WRC Engineer  
 Melissa Valdivinoso WRC Engineer  
 Whitney Ghoram Sanitary Engineering Associate  
 Michelle Mata WRC Engineer  
 Linda Pardy Environmental Scientist

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

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) <sup>1</sup>	MITIGATION (Acres) <sup>1</sup>	CERTIFICATION ACTION <sup>2</sup>
2/11/08	Caltrans District 11, San Pasqual Valley	SR-78 Emergency Corrugated Pipe Replacement Project	The project proposes to replace approximately 25 linear feet of a 5-foot diameter, 38-foot-long corrugated metal pipe (CMP) that has rusted along the bottom and top.	San Dieguito River	0.009 acre (110 linear feet) of Streambed (T); 0.0017 acre (76 square feet) of Streambed (P)	No compensatory mitigation is required.	Low Impact Certification & Enrollment in SWRCB Order No. 2003-017-DWQ
2/13/08	Enterprises Inc. & Temecula Properties, LLC, Temecula	Temecula 84	The project consists of a commercial development, the extension of Remington Road, and the widening of Winchester Road and Dendy Parkway.	Unnamed tributary to Murrieta Creek	Waters of the U.S.: 0.02 acre (540 linear feet) of Streambed (P); Waters of the State: 0.02 acre (84 linear feet) Wetland (P); 0.02 acre (750 linear feet) Streambed (P)	Create: 0.07 acre (771 linear feet) of Streambed (Waters of the State); Purchase 0.5 acre of Preservation Credits at the Barry Jones Wetland Mitigation Bank	Order No. R9-2008-0003 Waste Discharge Requirements and 401 Certification

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

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) <sup>1</sup>	MITIGATION (Acres) <sup>1</sup>	CERTIFICATION ACTION <sup>2</sup>
2/15/08	U.S. Army Corps of Engineers & City of Oceanside	San Luis Rey River Flood Control Project Operation and Maintenance (Vegetation and Sediment Management)	The project consists of mowing and discharge of vegetation in the floodplain and potential removal of 260,000 cubic-yards of sediment over a 25 year period from the channelized, lower 7.2-miles of San Luis Rey River and floodplain within the Army Corps of Engineer's constructed flood control channel.	San Luis Rey River	Up to: 46.0 acres (38,016 linear feet) Streambed (T);  128.0 acres (38,016 linear feet) of Wetland (P);  Dredge up to 260,000 cubic yards	A total of approximately 295 acres have been developed for the mitigation for the construction, operation, and maintenance of the San Luis Rey River flood control project in advance of impacts, with a temporal gain since 1994 to 2008 of approximately 233 acres of wetlands/water/riparian buffer.	Technically Conditioned Certification & Enrollment in SWRCB Order No. 2003-017-DWQ



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3/6/08	HCC Investors, LLC & Lennar Homes, Rancho Santa Fe	The Bridges at Rancho Santa Fe Driving Range Reconfiguration Project	The project consists of the reconfiguration of an existing golf course driving range, the development of five estate lots and the construction of an emergency access road over Bumann Road.	Two unnamed drainages to Escondido Creek	0.02 acre (641 linear feet) Streambed (P)	Create 0.02 acre Wetland; Enhance 0.02 acre Wetland	Technically Conditioned Certification & Enrollment in SWRCB Order No. 2003-017-DWQ
3/10/08	City of San Diego	Penasquitos Views Sewer Replacement and Abandonment	The project consists of the construction of 1,490 linear feet of sewer line and associated manholes and the abandonment of 5,765 linear feet of sewer line and associated manholes between Black Mountain Road and La Tortola Street.	Los Penasquitos Creek	0.09 acre (87 linear feet) Wetland (T); 0.012 acre (80 linear feet) Wetland (P); Dredge 163 cubic yards	Create 0.192 acre of Wetland; Enhance 0.012 acre of Wetland	Technically Conditioned Certification & Enrollment in SWRCB Order No. 2003-017-DWQ

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3/13/08	Rancho Bernardo Community Presbyterian Church, Rancho Bernardo	Rancho Bernardo Community Presbyterian Church	The proposed project was the development of an arts center, a ball field, a preschool, a gymnasium, parking areas, 5 single family homes, and a trail network with associated facilities.	Unnamed tributary to Pomerado Creek and seven vernal pools.	Not Applicable	Not Applicable	Withdrawn by the Applicant.
3/13/08	Estates Steven, LLC & HCC Investors, LLC, Rancho Santa Fe	The Bridges Units 6 and 7	Development of 2 separate residential subdivisions and the reconfiguration of an existing golf course driving range.	Two unnamed drainages to Escondido Creek	Not Applicable	Not Applicable	Withdrawn by the Regional Board.
3/13/08	City of San Diego	Tijuana River Valley Channel Maintenance Project	The proposed project was to perform long-term routine flood channel maintenance in the Tijuana River Valley.	Tijuana River	Not Applicable	Not Applicable	Withdrawn by the Regional Board.

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3/13/08	County of San Diego, Vista	South Santa Fe Ave. Reconstruction Project	The proposed project was the widening of South Santa Fe Ave. to 4 lanes for a two mile stretch.	Buena Creek and Agua Hedionda Creek	Not Applicable	Not Applicable	Withdrawn by the Regional Board.
3/18/08	Caltrans District 11, Oceanside	SR 76 Monserate Hill Road	The project consists of the construction of a vehicle pullout and the removal of mud, debris and sediment 10 feet upstream of an existing culvert under SR-76 near Monserate Hill Road.	Unnamed tributary to the San Luis Rey River	0.01 acre (10 linear feet) of Streambed (T); 0.003 acre Wetland (P); 0.007 acre Streambed (P); Dredge 35 cubic yards	Deduction of 0.057 acre of excess wetland creation credits from the Caltrans Marron Mitigation site	Low Impact Certification & Enrollment in SWRCB Order No. 2003-017-DWQ

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3/18/08	McMillin Land Development, Calavera Hills II, LLC	Robertson Ranch West Village Nature Trail / SDG&E Access Road Arizona Crossing	The proposed project was the excavation of the creek bed, the placement of three 24"x25' reinforced concrete pipes, and the placement of a road base.	Unnamed ephemeral creek tributary to Little Encina Creek.	Not Applicable	Not Applicable	Withdrawn by the Applicant.
3/20/08	Caltrans District 11, Fallbrook	SR 76 Flowerwood Lane Project	The project consists of the construction of a vehicle pullout and the removal of mud, debris and sediment 20 feet upstream and 24 feet downstream of an existing culvert under SR-76 near Flowerwood Lane.	Unnamed tributary to the San Luis Rey River	0.02 acre (20 linear feet) Wetland (T); 0.02 acre (20 linear feet) Wetland (P); Dredge 70 cubic yards	Deduction of 0.06 acre of excess wetland creation credits from the Caltrans Marron Mitigation site	Low Impact Certification & Enrollment in SWRCB Order No. 2003-017-DWQ

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3/20/08	Bartell Hotels, L.P., San Diego	Hilton Garden Inn Seawall Rehabilitation	The project consists of the reinforcement of an existing seawall by the application of an 8-inch thick concrete reinforcement façade requiring no demolition.	San Diego Bay	354 linear feet of Shoreline (T)	No compensatory mitigation is required.	Technically Conditioned Certification & Enrollment in SWRCB Order No. 2003-017-DWQ
3/24/08	City of Vista	Buena Vista Creekwalk Trail and Channel Stabilization Project	The project consists of the construction of a trail connection between Brengle Terrace Park and an existing trail system at Capri Drive, along with the stabilization of the creek channel by installing 4 plantable gabion structures along the length of the channel.	Unnamed tributary to Buena Vista Creek	0.125 acre (458 linear feet) Wetland (P)	Create 0.125 acre Wetland; Enhance 0.22 acre Wetland	Technically Conditioned Certification & Enrollment in SWRCB Order No. 2003-017-DWQ

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3/24/08	Barratt American, Inc., Santee	Villages at Fanita	The project consists of the development of 1,380 single-family homes in 4 separate villages, including commercial and mixed use facilities.	Unnamed tributaries to Forester Creek	0.81 acre (974 linear feet) Wetland (P);  3.24 Acre (50,358 linear feet) of Streambed (P)	Create 0.21 acre of Vernal Pool;  Create 5.65 acre of Wetland	Technically Conditioned Certification, Enrollment in SWRCB Order No. 2003-017-DWQ & Enrollment in SWRCB Order No. 2004-004-DWQ
3/28/08	Watermarke Properties, Mission Viejo	Geotechnical Investigation within Oso Creek Associated with the Mission Viejo Country Club Development	The project consists of a geotechnical investigation of the depth of sediment above grouted rip-rap in Oso Creek.	Oso Creek	0.008 acre of Streambed (T)	No compensatory mitigation is required.	Concurrence of Enrollment in State Pre-Certified Nation Wide Permit #6

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

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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 February 1, 2008 and February 29, 2008: 10  
Number of Project Received Between March 1, 2008 and March 31, 2008: 4  
Number of Projects Received Between January 1, 2008 and March 31, 2008: 20  
Number of Certifications Issued Between January 1, 2008 and March 31, 2008: 13  
Number of Projects Withdrawn Between January 1, 2008 and March 31, 2008: 5  
Number of Projects Where Time-Expired Between January 1, 2008 and March 31, 2008: 0  
Number of Projects Denied Between January 1, 2008 and March 31, 2008: 0



Linda S. Adams  
Secretary for  
Environmental Protection

# California Regional Water Quality Control Board

## San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
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<http://www.waterboards.ca.gov/sandiego>

**TO:** John Robertus, Executive Officer  
Shipyards Sediment Site Advisory Team

**FROM:** David Barker, Supervising Water Resources Control Engineer  
Shipyards Sediment Site Cleanup Team  
**SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD**

**DATE:** April 4, 2008

**SUBJECT: SHIPYARD SEDIMENT SITE TENTATIVE CLEANUP AND  
ABATEMENT ORDER NO. R9-2005-0126; CONCLUSION OF PHASE II OF  
THE PROCEEDINGS**

The January 30, 2006 First Amended Order of Proceedings (First Amended Order) provides on Page 4, Item 3, Paragraph 4 that the Cleanup Team distribute specified items to all designated parties to conclude Phase II of the proceedings. The tentative Cleanup and Abatement Order, the draft Technical Report, and the electronic indexed record are distributed to all designated parties as provided below:

1. On April 3, 2008 the Board's contractor, D-M Information Systems Inc. (D-M) transmitted one portable hard drive containing the finalized indexed electronic record via overnight mail to the designated parties listed below:
  - a. BAE Systems San Diego Ship Repair, Inc. (formerly Southwest Marine Inc.)
  - b. National Steel and Shipbuilding Company (NASSCO)
  - c. San Diego Gas & Electric Company, a subsidiary of Sempra Energy Co.
  - d. Chevron USA, a subsidiary of ChevronTexaco
  - e. BP, the parent company and successor to Atlantic Richfield Co. (ARCO)
  - f. U.S. Navy
  - g. City of San Diego
  - h. Marine Construction and Design Company / Campbell Industries, Inc.
  - i. San Diego Coastkeeper (formerly known as San Diego Baykeeper)
  - j. Environmental Health Coalition
  - k. San Diego Port Tenants Association
  - l. Port of San Diego
  - m. San Diego Water Board Cleanup Team

*California Environmental Protection Agency*



D-M also transmitted additional copies of the hard drive copy of the indexed electronic record to the San Diego Water Board Advisory Team.

2. On April 4, 2008 the tentative Cleanup and Abatement Order and draft technical report was posted on the San Diego Water Board website at:  
[http://www.waterboards.ca.gov/sandiego/programs/shipyards/Shipyard%20Sediment%20Cleanup/CUT\\_R9-2005-0126.html](http://www.waterboards.ca.gov/sandiego/programs/shipyards/Shipyard%20Sediment%20Cleanup/CUT_R9-2005-0126.html).

It should be noted that portable hard drives referenced in Item 1 above are not formatted as "read only" and may be modified by the user. To guard against confusion, the Advisory Team should specify that in the event of disputes on inconsistencies in the indexed record during the course of the proceedings, the Advisory Team copy of the indexed record will serve as the controlling version. An additional secured back-up copy of the electronic indexed record is also maintained by the contractor D-M.

cc Shipyard Sediment Distribution List

