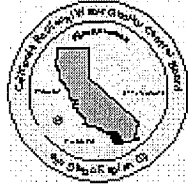


San Diego  
Regional Water Quality  
Control Board



Executive Officer's  
Report

December 13, 2006

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# SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

## EXECUTIVE OFFICER'S REPORT

December 13, 2006

### PART A

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

1. Industrial Environmental Association Conference (IEA) *(Michael McCann)*  
Board Member Jennifer Kraus and Assistant Executive Officer Arthur Coe were featured speakers at the IEA's 5<sup>th</sup> Statewide Conference on environmental and regulatory issues convened in San Diego on November 14 and 15. Ms. Kraus provided an overview of current Regional Board issues and Mr. Coe, speaking on behalf of Jerry Secundy of the State Water Resources Control Board, gave an update on statewide regulatory actions.

2. Presentation to Campo Band of Kumeyaay Indians and the Campo Creek Source Basin Task Force *(Dave Gibson)*  
On December 1, 2006, Dave Gibson attended the Campo Creek Source Basin Task Force Meeting at the Golden Acorn Casino located on the tribal lands of the Campo Band near Boulevard. Attending the meeting, which is held quarterly, were representatives of the Campo Band, La Posta, and Manzanita Bands of Kumeyaay Indians, the County of San Diego, the Boulevard Planning Group, the Campo/ Lake Morena Planning Group, Bureau of Indian Affairs, and US EPA. Dave Gibson gave a presentation and answered questions regarding the roles and responsibility of the Regional Board; the wetlands protection and the Clean Water Act section 401 Water Quality Certification process; and municipal, construction, and industrial storm water regulation. Some of the other issues that were discussed included CEQA review; wetlands delineation for non-perennial streams; recent court decisions regarding the regulation of dredging and filling of wetlands; state and federal grant programs; bioassessment and biological criteria; the ongoing review of the waivers program; the upcoming Triennial Review of the San Diego Region Basin Plan; and the Surface Water Ambient Monitoring Program.

3. Annual Meeting of the California Aquatic Bioassessment Workgroup *(Lilian Busse)*  
The Thirteenth Annual Meeting of the California Aquatic Bioassessment Workgroup was held at the University of California, Davis, on November 29 and 30, 2006. The meeting was attended by 200 people from federal and state agencies, universities, non-profit organizations, and environmental consulting companies. Lilian Busse attended the meeting for the Regional Board. Twenty six presentations were given on topics related to bioassessment in California. The presentations included topics on:

- Status of bioassessment elements in SWAMP.
- Assessing physical and habitat conditions in Californian Streams.
- Stressor specific tolerance values (including sediment tolerance values) for benthic macroinvertebrates.
- The use of periphyton (attached algae and diatoms) in bioassessment monitoring programs.
- Presence of aquatic nuisance species in California (e.g. the New Zealand mud snail).

Four presentations and a panel discussion dealt with the presence and impact of the New Zealand mud snail (NZMS) in California. The most southern occurrence of the NZMS in California is in the Malibu Creek watershed and in Orange County (since spring of 2006). Preliminary data show that the NZMS has an impact on bioassessment. The panel discussed possibilities and procedures to avoid the spreading of the NZMS and necessary public outreach.

Lilian Busse from the SDRWQCB organized a lunch meeting on November 30, 2006 to coordinate bioassessment efforts in the San Diego Region. The following groups attended the meeting: Southern California Coastal Water Research Project (SCCWRP- Ken Schiff, Betty Fetcher, Raphael Mazor), Weston Solutions (Bill Isham), San Diego Stream Team (Rob Roy), San Elijo Lagoon Conservancy (Barry Lindgren), Aquatic Bioassessment Lab/Department of Fish and Game (Jim Harrington, Pete Ode, Andy Rehn). Through this group, the bioassessment monitoring efforts of several entities will be coordinated to leverage resources and publish the results.

#### 4. MCB Camp Pendleton Public Meeting regarding Five Superfund Sites (*Beatrice Griffey*)

The evening of November 14, 2006, Regional Board staff participated in a public meeting regarding five chemically contaminated sites at Marine Corps Base Camp Pendleton. Due to the nature of the waste, the subject sites are managed in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, a.k.a. "Superfund"). The purpose of the meeting was to provide the public with an opportunity to learn about and provide comments on all the remedial alternatives that were considered for each site during the feasibility study and are presented in two proposed plans. In addition to presenting the remedial alternatives evaluated, the proposed plans present the remedial alternative that was determined, based on selection criteria outlined in CERCLA, to be the most appropriate for each site. The public did not provide any comments on the two proposed plans during the public comment period that extended from November 7 through December 8, 2006.

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

1. Sanitary Sewer Overflows (SSO) – November 2006 (*Eric Becker, Charles Cheng, Joann Cofrancesco, Michelle Mata, Olufisayo Osibodu, Melissa Valdovinos*) (Attachment B-1)  
From November 1 to November 30, 2006, there were 17 sanitary sewer overflows, which included 3 spills greater than 1,000 gallons, reported to the Regional Board office pursuant to the requirements of Order 96-04 (SSOs) from publicly-owned collection systems. Nine of the 17 spills reached surface waters or storm drains, one of which resulted in closure of recreational waters. The combined total volume of reported sewage spilled from all publicly-owned collection systems for the month of November, 2006 was 1,124,510 gallons.

There were also 10 sewage overflows from private property reported in November 2006. Three of these spills reached surface waters or storm drains, but none resulted in closure of recreational waters. One of the reported sewage spills from private property was greater than 1,000 gallons.

During November 2006, 0.15 inches of rainfall was recorded at San Diego's Lindbergh Field. For comparison, in October 2006, 0.76 inches of rainfall was recorded at Lindbergh Field, and 11 public SSOs were reported. Also for comparison, in November 2005, 0.12 inches of rainfall was recorded at Lindbergh Field, and 14 public SSOs were reported.

Attached is a table titled "Sanitary Sewer Overflow Statistics", updated through November 30, 2006, which contains a summary of all SSOs by fiscal year (FY) from each agency since FY 2002-2003.

It should be noted that the data for spill volume per volume conveyed (GAL/MG) could be easily misinterpreted. For a collection agency that has a relatively small system, a spill of a few hundred gallons or more could result in a high value for spill volume per volume conveyed. On the other hand, a high volume spill event for a large collection system may still result in a low value for this statistic. Hence, these numbers by themselves are not sufficiently representative of the measures being taken by a sewer agency to prevent SSOs; nor can the numbers be compared directly between collection agencies. The data does represent a different way to review and analyze SSO volume data as it relates to system size.

As of November 2, 2006, collection agencies in Region 9 are required to be enrolled under State Board Order No. 2006-003-DWQ (General Statewide Waste Discharge Requirements for Collection agencies). Forty seven of the 53 collection agencies in Region 9 have enrolled under the State Board Order. The State and Regional Boards will be contacting the remaining agencies in the near future. Enrollment under State Board Order No. 2006-003 will result in a new electronic reporting system, in which collection agencies will be required to submit electronic SSO reports to the State Board. At this time, the State Board is

not prepared to begin receiving SSO reports, so reports will continue to be submitted to the Regional Board until January 1, 2006. The content of the monthly SSO Executive Officer's Report will also change once the new electronic reporting system begins.

Tentative Order No. R9-2006-0121, an Order prohibiting sanitary sewer overflows (which will supersede the current Regional Board Order No. 96-04), was presented to the Regional Board in October 2006. Tentative Order No. R9-2006-0121 has been revised to clarify the findings, definitions, and reporting requirements. Prior to today's Board meeting the Tentative Order was mailed to the collection agencies. Tentative Order No. R9-2006-0121 will be presented to the Regional Board on December 13, 2006.

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

### **Issuance of Notices of Violation (NOV) for SSOs**

Three Notices of Violation (NOV) were issued during November 2006 for recent significant SSOs. The NOV's were issued to the collection agencies and for the SSO events described below:

#### ***US Navy Public Works Center***

- An NOV and CWC Section 13267 request for additional information was sent to the US Navy Public Works Center (Navy) on November 28, 2006 in response to the following 5 spills:
  - A 2,000-gallon SSO, none of which was recovered, occurred on September 4, 2006 at the Kilo Pier lift station at North Island Naval Station. Sewage reportedly flowed into San Diego Bay due to a pump station failure.
  - A second SSO occurred at the Kilo Pier lift station at North Island Naval Station on September 6, 2006. None of the 1,800-gallon SSO was recovered. Sewage reportedly flowed into San Diego Bay due, once again, to a pump station failure.
  - An 840-gallon SSO, none of which was recovered, occurred on September 13, 2006 under Pier 6 at North Island Naval Station. Sewage reportedly flowed into San Diego Bay due to a pipe leak (damaged coupling) under the pier.
  - A second SSO occurred under Pier 6 at North Island Naval Station on September 25, 2006. None of the 630-gallon SSO was recovered. Sewage reportedly flowed into San Diego Bay due, once again, to the damaged coupling and from removing the coupling for repair.
  - A third SSO occurred under Pier 6 at North Island Naval Station on November 1, 2006. None of the 22,600-gallon SSO was recovered.

Sewage reportedly flowed into San Diego Bay due to a pipe leak (corroded lateral).

- An NOV and CWC Section 13267 request for additional information was sent to the Navy on November 29, 2006 in response to sanitary sewer discharge to the storm drain system that was discovered on November 17, 2006. According to the Navy's report, the sanitary sewer lateral from Palmer Hall barracks at Naval Station San Diego was connected to an adjacent building's storm drain lateral in November 2004. The cross-connection resulted in the release of approximately 14.2 million gallons of sewage, over a 25-month period, into the storm drain system, which discharges through Storm Drain Outfall 70 to Chollas Creek, and ultimately into San Diego Bay (this SSO was not included in calculating the total volume of SSOs that occurred from publicly owned collection agencies in November 2006, because it occurred over a 25 month period).

#### ***Eastern Municipal Water District***

- An NOV was sent to Eastern Municipal Water District (District) on November 30, 2006 for a 1.07 million gallon SSO that occurred on November 14, 2006 at the Diaz Lift Station at 28079 Diaz Road, Temecula. The overflow was caused by an accidental puncture of a 10" diameter force main pipe by District crew when trying to install a flow meter on an 18" diameter force main. The District reported that the overflow entered Murrieta Creek, a tributary to the Santa Margarita River.

The International Boundary and Water Commission (IBWC) reported the following significant SSOs to the Tijuana River during November 2006:

- From 10:00 p.m. on November 7, 2006 to 6:00 a.m. to November 8, 2006, 4,552,462-gallons from the Tijuana River bypassed treatment at the South Bay International Wastewater Treatment Plant (SBIWTP). According to the IBWC, the Mexican agency Comision Internacional de Limites y Aguas (CILA) explained that this SSO was the result of a pump station failure due to electrical problems. The sewage in the Tijuana River did not reach the Tijuana Estuary or recreational ocean waters.
- From 12:30 a.m. on November 12, 2006 to 1:30 a.m. to November 12, 2006, approximately 25,000 to 50,000-gallons from the Stewart's Drain diversion structure overflowed into the Tijuana River. According to the IBWC, Border Patrol agents opened the diversion structure's gates causing debris behind the gates to block the inlet, which conveys flow to the SBIWTP for treatment. The blockage was subsequently cleared by IBWC.

## 2. Clean Water Act Section 401 Water Quality Certification Actions Taken in November 2006 *(Chiara Clemente) (Attachment B-2)*

Section 401 of the Clean Water Act requires that any person applying for a federal permit which may result in a discharge of pollutants into Waters of the United States must obtain a water quality certification that the discharge 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 month of November. 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>.

## 3. Grants Update *(David Gibson) (Attachment B-3)*

### **Status of State Bond Act and federal 319(h) Grant Program Projects**

Since 2001, the Regional Board staff has managed a total of 65 grant awards with an estimated total value of \$81,138,981. To date, 15 of these projects worth \$8,403,720 have been successfully completed. With the addition of the fifteen new projects funded through the Consolidated Grants Programs, the Regional Board staff is currently managing 41 grant funded projects worth approximately \$63,815,291 (Attachment). By December 2007, it is expected that another 19 projects worth \$23,842,700 will be successfully completed. Staff is continuing to closely manage the grant funded projects to ensure the success of the projects and conformance to the grant agreement terms and conditions.

### **Statewide Proposition 50 Integrated Regional Water Management (IRWM) Grant Program**

The State Water Resources Control Board (SWRCB) and the Department of Water Resources (DWR) released the IRWM Step 2 Implementation Grant Program Draft Funding Recommendations on November 13, 2006. The Draft Funding Recommendations and proposal evaluations are available on the IRWM web site: <http://www.waterboards.ca.gov/funding/irwmgp/index.html>

The SWRCB and DWR hosted a public meeting in Sacramento on November 16, 2006. The meeting provided an opportunity for applicants to discuss their



proposal evaluations and comment on the IRWM process and the future of the program. Also, the SWRCB and DWR are soliciting public input on the Draft Funding Recommendations. The recommendations may change based on public comments, the applicant's ability to meet funding requirements (i.e. adopted IRWM plan, urban water management plan), and SWRCB and DWR Director approval. Written comments will be accepted through 5:00 pm on December 8, 2006. Comments should be emailed to Shahla Farahnak at [sfarahnak@waterboards.ca.gov](mailto:sfarahnak@waterboards.ca.gov) and Tracie Billington at [tracieb@water.ca.gov](mailto:tracieb@water.ca.gov).

Following consideration of the public comments, the SWRCB and DWR will develop the Final Funding Recommendations. The SWRCB will consider adoption of the Final Funding Recommendations on January 18, 2007. DWR anticipates approval from the DWR Director in January 2007.

#### **Small Community Wastewater Grants (SCWG)**

The SWRCB is accepting proposals and amending the Competitive Project List (CPL) to facilitate timely expenditure of grant funds. A total of \$15,815,015 has been encumbered for local assistance. A total of \$31,851,182 remains available from Propositions 40 and 50 to projects on the approved portion of the CPL, on a first-come, first-served basis. The deadline to submit an application is January 5, 2007. More information on this grant program can be found at <http://www.waterboards.ca.gov/cwphome/scwg/index.html>.

#### **Clean Beaches Initiative Grant Program**

The SWRCB adopted the Guidelines for the Proposition 50 Clean Beaches Grant Initiative (CBI) Grant Program on October 25, 2006. These Guidelines establish the process that the SWRCB will use to administer grant funds through the CBI Program. The Concept Proposal solicitation period for submission of project proposals via the SWRCB's Financial Assistance Application Submittal Tool (FAAST) started on Thursday, October 26, 2006 and closes on Wednesday, January 31, 2007. More information can be found on the CBI website: <http://www.waterboards.ca.gov/cwphome/beaches/index.html>

#### **4. Orange County Municipal Storm Water NPDES Permit Reissuance (Jeremy Haas)**

The Orange County municipal storm water permit (MS4 Permit), Regional Board Order No. R9-2002-01, is scheduled to expire on February 13, 2007, and work by the Regional Board is proceeding to reissue the MS4 Permit in June 2007.

The 13 Permittees submitted a joint permit renewal application in August 2006. The application included a summary of activities conducted under the current permit and proposed revisions to the Drainage Area Management Plan (DAMP). The DAMP serves as the model storm water program, from which the 13 Permittees develop jurisdictional programs. The Northern Watershed Unit evaluated the application and requested supplemental information in October 2006.

A draft Tentative Order is planned to be distributed for public review and comment in February 2007. As currently planned, a workshop would be held in Orange County in March 2007, and the Regional Board's initial hearing on the tentative Permit would occur in April 2007. It is expected that the public comment period would close at that time or shortly thereafter. Most likely, a revised Tentative Order with written responses to comments would be presented to the Regional Board for adoption in June 2007. Contact Jeremy Haas, Environmental Scientist, at [jhaas@waterboards.ca.gov](mailto:jhaas@waterboards.ca.gov) or 858-467-2735 for additional information about the permit reissuance process.

5. Excellent Coatings, Inc., Mandatory Minimum Penalties for Failure to Submit Annual Monitoring Reports Industrial Storm Water (*Rebecca Stewart*)

On October 11, 2006, the Regional Board imposed \$1,000 in civil liability, which is the mandatory minimum penalty (MMP) against Excellent Coatings, Inc., 1285 Distribution Way, Vista, for failing to submit the Fiscal Year 2004-05 annual storm water monitoring report. However, the Regional Board directed the liability be reduced to \$500, if the Water Code supported such a reduction below the minimum penalty. The reduction was based on the financial hardship expressed by Mr. Gil Lackritz owner of Excellent Coatings at the October 11 Board meeting.

Upon a detailed examination, the applicable statute (Water Code Section 13399.31) does not contain a provision to enable the Regional Board to reduce a liability below the MMP under any circumstances. We have notified Mr. Lackritz his liability is \$1,000. As of November 17, 2006, Mr. Lackritz has paid \$200 in partial payment of the liability.

In regard to the MMP for a person that fails to submit an annual report, Water Code Section 13399.31 actually establishes the MMP as an amount that is "not less than one thousand dollars (\$1,000) in addition to the costs incurred by the Regional Board with regard to the action." In Excellent Coatings case, the MMP would have been at least \$3,600, reflecting the \$1,000 penalty plus \$2,600 in staff costs.

In the future, Regional Board Complaints for civil liability will accurately reflect the minimum liability for similar violations.

6. Petition for Administrative Review of ACL Order No. R9-2006-0095 Against the City of Escondido, Hale Avenue Resource Recovery Facility (*Rebecca Stewart*)

On November 11, 2006 the Escondido Creek Conservancy and San Diego Coastkeeper submitted a petition to the State Water Resource Control Board for review of Administrative Civil Liability Order No. R9-2006-0095. The Regional Board adopted the Order on October 11, 2006 against the City of Escondido for violations at the Hale Avenue Resource Recovery Facility. The ACL Order reflected a settlement with the City over numerous alleged violations and included a \$690,000 payment to the Cleanup and Abatement Account and completion and submittal of two planning reports by December 29, 2006.

The Petition raises two arguments: (1) the settlement is unsupported by the record and inconsistent with Water Code requirements pertaining to Mandatory Minimum Penalties; and, (2) the Regional Board should have required concrete measures to address future noncompliance.

The first step in the State Board's petition review process is a determination whether the petition raises significant arguments that merit review or to dismiss the petition without review. Staff will keep the Regional Board informed on the status of the petition as future developments occur.

7. Rancho Mission Viejo, Planning Area 1 Groundwater Protection (*Jeremy Haas*)  
On October 11, 2006, the Regional Board adopted Order No. R9-2006-0104, *Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Standards Certification For Rancho Mission Viejo, LLC, Rancho Mission Viejo Ranch Plan, Planning Area 1 Project, Orange County*. Board member Daniel Johnson asked staff to investigate whether the proposed storm water management basins would sufficiently preclude infiltrated storm water from delivering pollutants to nearby San Juan Creek. Proposed storm water treatment areas include detention basins, a retention basin, a lake, and vegetated swales. No infiltration facilities are planned, but incidental infiltration may occur within the storm water management areas. Management measures have been planned to ensure that significant infiltration does not allow shallow subsurface flows to convey pollutants to San Juan Creek from partially-treated storm water or legacy pollutants in the soils. In response to Mr. Johnson's concern, Rancho Mission Viejo (RMV) has demonstrated that storm water within extended detention basins in Planning Area 1 is unlikely to infiltrate into the soils.

While some incidental infiltration might occur, it is unlikely that the project as proposed poses a threat to water quality from infiltration in the storm water treatment areas for the following reasons:

- The lake and retention basin (treating 57% of the Planning Area) will use 30 milliliter (ml) PVC geomembrane liners with a 12-inch soil cover and compacted underlying soils;
- Detention basins and swales (treating 42% of the area) will be mass graded, compacted to 90%, and placed at above optimum moisture content; and
- Underlying soils and engineered fill soils are predominately silt and clays with low permeability.

All storm water management facilities, including the lake, basins, and swales, will be created with compacted engineered fill to the extent that RMV would be applying geotechnical stability measures to the basins that are ordinarily applied for structures. Liners and compacted soils with low permeability are management measures planned to prevent infiltration. Two facilities will be lined

with a 30 ml geomembrane. For comparison, Regional Board Order No. 93-86 prescribes that new municipal solid waste landfills use a 40 ml synthetic liner over compacted soil with low permeability. In addition, the soils of the area have low permeability and high elasticity (Monterrey Formation). As a result, groundwater and surface water quality are not significantly threatened by infiltration in the storm water treatment areas.

8. High Summer Bacteria Levels in Mission Bay – Some May Have Been False Positives (Christina Arias)

In July and August, 2006, beaches along the east side of Mission Bay were posted repeatedly with warning signs for swimmers due to high bacteria counts. Specifically, routine and follow-up monitoring in these recreational waters indicated high levels of *Escherichia coli* (*E. Coli*), one of four indicator bacteria used to indicate the presence of harmful pathogens. Popular swimming beaches are tested weekly and posted if bacteria counts exceed the state-established water quality thresholds.

Both the City of San Diego's Stormwater Pollution Prevention Program and the County of San Diego Department of Environmental Health (DEH) worked incessantly during this time to identify the source of the contamination, with essentially no success. In September, the DEH reported that the high *E. Coli* readings appeared to be due to errors with the methodology used for measurement. The DEH had been using the IDEXX Colilert-18 (Colilert-18) test method, which is preferred because it is faster and less expensive than traditional membrane filtration test methods.

Although correlation studies between the two test methods suggested the Colilert-18 method to be reliable, through research and testing, the DEH discovered that the Colilert-18 test method can be unreliable for detecting *E. Coli* in marine waters during unusually warm temperatures, such as the temperatures experienced during the summer of 2006. Therefore, some of the elevated *E. Coli* levels measured in east Mission Bay during July and August may have been false positives and not true measurements of *E. Coli* densities. However, the DEH stressed that other test method data confirmed bacterial contamination did occur during this time at some east Mission Bay locations, although probably not at the same frequency and extent that the Colilert-18 data indicated. As a result, the DEH suspended the use of the Colilert-18 test method for the analysis of total coliform and *E. Coli* bacteria in ocean and bay water quality samples.

9. Public Participation for Underground Storage Tank Case (Sue Pease)

During November 2006, the San Diego Regional Water Quality Control Board (Regional Board) provided a 30-day public notification of our intent to issue a no further action letter for a leaking underground storage tank (UST) case at the Ultramar Service Station No. 3743 at 4405 Home Avenue in the City of San Diego. The remedial action implemented was removal of approximately 13,000 cubic yards of soils containing the highest concentrations of petroleum fuel

wastes. Soil borings were drilled to depths of 56 feet below ground surface without encountering ground water. Existing information suggests that the residual concentrations of petroleum fuel wastes in the soils do not pose a threat to human health or the environment, and the unauthorized release case may be closed.

As a result of the Regional Board's public notification, two interested parties have submitted written comments on the proposed closure of this UST case. Both were concerned that the gas station is adjacent to a creek that is tributary to the Chollas Creek, and yet no ground water was found during the investigation at the site. Both interested parties commented that if adoption of a TMDL for Chollas Creek occurs that the concrete lining of the adjacent creek may be removed. Their concerns appear to be that the residual pollution may impact the creek, if the concrete cover is removed.

Regional Board staff will forward the comments to the responsible party and work with them to address the concerns raised by the public. The Regional Board will evaluate and consider the responses to the comments associated with the proposed closure of this UST case.

10. Mission Bay Landfill Technical Advisory Committee (*Brian McDaniel*)

San Diego City Councilmember Donna Frye has announced the findings of the Site Assessment Report submitted to the Mission Bay Landfill Technical Advisory Committee (TAC). The TAC findings are summarized as follows:

- There is no significant discharge of pollutants from the Mission Bay Landfill into Mission Bay
- With the possible exception of mercury, evidence of persistent environmental pollution from past industrial waste disposal was not found. Potential sources of pollutants may remain in locations or under conditions not considered during the investigation of the Mission Bay Landfill.
- The landfill cap is thinner in the eastern portions of the landfill, which may increase the chance of future discharge of landfill gases to the surface.

The City's Environmental Services Department (ESD) has also released the report prepared by SCS Engineers for review to the public and regulatory agencies. The Regional Board regulates the closed landfill through General Waste Discharge Requirements (Order 97-11 and addenda thereto), and the staff have regularly attended monthly meetings of the Mission Bay Landfill Technical Advisory Committee (TAC). The technical report can be viewed online at <http://www.sandiego.gov/citycouncil/cd6/crtk/mblandfill.shtml>).

11. Redevelopment of Former NTC/MCRD Landfill (*Brian McDaniel and John Odermatt*)

The site is located approximately 700 feet north of the northernmost point of San Diego Bay. Properties adjacent to the landfill include: the U.S. Marine Corps (USMC) Recruit Depot (MCRD) and a boat channel to the northwest, Lindbergh Field (San Diego International Airport) to the north and northeast, to the west McCain Road, a City of San Diego Sewer Pump Station and San Diego Bay; and North Harbor Drive to the south. The landfill includes approximately 52 acres of vacant land located within the eastern portion of the former NTC (now Liberty Station) in the City of San Diego. The surface of the landfill includes abandoned recreational facilities with playing courts and a running track. The proposed long-term reuse of the site includes the removal of the buried refuse, and subsequent expansion of existing airport facilities including construction of a concrete apron for airport use, airport terminal buildings, and related facilities.

The U.S. Navy owned the NTC/MCRD Landfill since 1923. Records available to the Regional Board indicate that the USMC operated a refuse disposal area between 1950 and 1971. From 1959 until the landfill ceased operations, the site was regulated by Regional Board Resolution No. 59-R20, entitled *Requirements Regulating the Discharge of Wastes from a Sanitary Landfill to be Operated by the United States Marine Corps (USMC), San Diego*. Waste discharged at the site included consumer refuse, industrial wastes, burned refuse/ash, construction debris, and landscaping debris. It is estimated that these wastes are present over approximately 32 acres and at a volume of between 181,000 to 260,000 cubic yards. As part of the Base Realignment and Closure (BRAC) process, the Navy transferred property ownership to the San Diego Unified Port District in 2001. The San Diego County Regional Airport Authority ("SDCRAA") notified the Regional Board, by letter dated March 26, 2003, that the San Diego Unified Port District, former responsible party, transferred operations of Lindbergh Field to the Authority. The SDCRAA has assumed responsibility for all airport operations including the NTC/MCRD landfill under a 66-year lease. The transfer of airport operations was established pursuant to the San Diego County Regional Airport Act (Senate Bill SB1896).

The Naval Training Center (NTC) landfill, also known as the Marine Corps Recruit Depot (MCRD) landfill, is currently regulated by the Regional Board under General Waste Discharge Requirements (Order No. 97-11, and addenda thereto). On November 12, 2003, the Regional Board adopted Addendum No. 4 to Order 97-11, identifying the SDCRAA as the discharger responsible for the former NTC/MCRD Landfill.

On November 30, 2006, the Regional Board staff met with representatives of the SDCRAA and the San Diego City Local Enforcement Agency (LEA). The SDCRAA is proposing to clean close a portion of the former NTC/MCRD landfill in order to redevelop the property by expanding airport operations at Lindbergh Field (see draft EIR available on-line at [http://www.san.org/documents/amp/EIR/SDIA\\_Master\\_Plan\\_Draft\\_EIR.pdf](http://www.san.org/documents/amp/EIR/SDIA_Master_Plan_Draft_EIR.pdf)).

The San Diego Union Tribune published an article (May 24, 2006) concerning the funding for airport expansion, including impacts from the landfill (available on-line at

[http://www.signonsandiego.com/uniontrib/20060524/news\\_7m24airport.html](http://www.signonsandiego.com/uniontrib/20060524/news_7m24airport.html)).

The purpose of the meeting with Regional Board staff was to discuss various waste management issues associated with the SDCRAA's draft proposal to clean close a portion of the NTC/MCRD landfill. The Regional Board staff anticipates that the SDCRAA staff will submit a written plan for redevelopment of the former NTC/MCRD Landfill in the near future.

12. Solid Waste Management in the San Diego Region (John Odermatt) (Attachment B-12)

**ACTIVE LANDFILLS:** The management of solid wastes continues to evolve into a large and complex function in the modern world (see a summary of milestones on-line at [http://www.epa.gov/epaoswer/non-hw/muncpl/timeline\\_alt.htm#6](http://www.epa.gov/epaoswer/non-hw/muncpl/timeline_alt.htm#6)). According to the data from California Integrated Waste Management Board (CIWMB) Facility/Site Summary Detail Reports (available on the CIWMB web page at <http://www.ciwmb.ca.gov/SWIS/Search.asp>); remaining solid waste capacity and permitted capacity of active municipal solid waste (MSW) landfills located in the San Diego Region may be summarized as follows:

Estimated Disposal Capacity at Active Solid Waste Landfills

LANDFILL	Owner/Operator	Remaining Capacity (tons) **	Total Permitted Capacity (tons) **
<u>West Miramar</u>	US Navy/City of San Diego	17,164,213	26,048,000
<u>Otay Annex</u>	Allied Waste Inc.	30,452,759	44,294,327
Ramona	Allied Waste Inc.	345,000	1,181,379
Sycamore	Allied Waste Inc.	16,458,826	34,649,613
Prima Deshecha	Orange County	61,169,359	121,030,000
<b>Las Pulgas</b>	US Marine Corps	5,490,000	6,408,000
<b>San Onofre</b>	US Marine Corps	562,800	768,000
Total Regional Capacity all Landfills =		<b>131,642,958</b>	<b>234,379,318</b>
<b>Military-only Landfill capacity =</b>			
Total Civilian Landfill capacity =		<b>-6,052,800</b>	<b>-7,176,000</b>
		<b>125,590,158</b>	<b>227,203,318</b>

\*\* Estimates in this table are from the CIWMB web site (as available in December 2006)

To obtain the landfill capacity available for disposal of solid wastes generated by the civilian population, the "total regional capacity all landfills" is adjusted by subtracting the remaining and permitted waste capacity at "military only" landfills (i.e., Las Pulgas and San Onofre Landfills located at Camp Pendleton). The "Total Civilian Landfill capacity" indicates the estimated remaining and permitted capacity available for disposal of municipal wastes from the civilian population

located within the jurisdiction of the San Diego Regional Water Board. According to the data tabulated above and listed on the CIWMB web page, approximately 55% of the permitted capacity for solid waste disposal remains in the San Diego Region.

**INACTIVE/CLOSED LANDFILLS:** Attachment B-12 to this item summarizes available solid waste load information for a number of inactive/closed landfills (waste management units or Units) located in the San Diego Region. Additional information on specific landfill facilities and water quality data may be found in the GEOTRACKER database available on-line at: <https://www.geotracker.waterboards.ca.gov/>.

The attachment to this item provides information on the minimum solid waste load for each listed watersheds. These data assume the active landfills are filled to permitted capacity and it does not include all solid wastes contained in a number of other Waste Management Units (Units), including:

- Old municipal solid waste landfills regulated by another regulatory program (e.g., DOD or CERCLA),
- unregulated municipal or private waste burning sites,
- Units undergoing clean closure,
- Units with ongoing corrective actions including waste removal and/or consolidation (e.g., Campbell Shipyard), and
- other old abandoned existing landfill sites that lack quantitative data on buried wastes or the landfills not known to the Regional Board at this time.

### 13. Public Workshop – Agricultural Waivers of Waste Discharger Requirements (Wayne Chiu)

The Water Quality Standards (WQS) Unit conducted a public workshop on the Re-issuance of the Basin Plan Waivers of Waste Discharge Requirements (Waiver Policy) related to agriculture. The workshop took place on November 28 in Oceanside. Stakeholders in attendance included owners and operators of agricultural lands and facilities, agencies that inspect and enforce agricultural discharges, entities involved with education and outreach about agricultural discharges, and agencies that must comply with storm water and TMDL discharge requirements.

The purpose of the public workshop was to inform the stakeholders of the San Diego Water Board's upcoming renewal of the Waiver Policy, and about potential issues with the six agricultural discharge waivers in the Waiver Policy. The workshop also provided an opportunity for stakeholders to tell us and other



stakeholders about issues they have with the current waivers, and what they would like to see in the next iteration of the waivers.

The WQS Unit has identified agricultural discharges as potential sources of several types of pollutants that have impaired the water quality and beneficial uses in several water bodies in the region. Our conclusions are based on anecdotal evidence, monitoring data collected since 2002, and the 2006 303(d) List of Water Quality Limited Segments. The 2003 Waiver Policy does not require enrollment and/or monitoring for most types of agricultural-related discharges for which waivers exist. Thus, we cannot be sure that agricultural owners and operators are complying with the conditions of the agricultural waivers, that the waivers effectively protect water quality, or both.

At the end of the workshop, a Stakeholder Advisory Group (SAG) was formed. The first SAG meeting is planned for January 2007. At this meeting, stakeholder representatives will provide guidance to the San Diego Water Board on waiver conditions that might be included to make the waivers more effective at protecting water quality, without creating unnecessary layers of regulation.

The current Waiver Policy consists of 26 types of waste discharges that are waived of waste discharge requirements. The waivers in this Policy are set to expire at the end of 2007. The waivers must be either renewed through the adoption of a new Basin Plan amendment, or allowed to expire. The WQS Unit plans to bring the new Waiver Policy Basin Plan amendment to the San Diego Water Board for adoption in September 2007.

**14. Significant Enforcement Actions for November 2006** (Mark Alpert)  
(Attachment B-14)

The following is a summary of all enforcement actions during the month of November 2006. During the period the Regional Board initiated 36 enforcement actions (14 Staff Enforcement Letters, 12 Notice of Violations, 8 Investigative Orders, 1 Administrative Civil Liability Order, and 1 Settlement).

A more detailed listing of the most significant enforcement actions undertaken by the Regional Board during the month of November 2006 is attached. Enforcement on sewage spills is discussed in a separate discussion topic entitled "Sewage Spills").

AGENCY/ FACILITY NAME	CITY	PROGRAM*	ACTION DATE
<b>Staff Enforcement Letter</b>			
Rancho Santa Fe CS District: Santa Fe Valley WT Plant	San Diego	NON15	11/2/2006
Valley Center MWD: Woods Valley Ranch WTF	Valley Center	NON15	11/13/2006

San Diego County: W S Heise Park Campground	Julian	NON15	11/13/2006
Olivenhain MWD: 4-S Ranch WPCF	San Diego	NON15	11/15/2006
San Diego County: Pine Valley Water Pollution Control Facility	Pine Valley	NON15	11/15/2006
Ramona MWD: Santa Maria WWTP	Ramona	NON15	11/15/2006
Pinecrest Park	Julian	NON15	11/16/2006
City of Laguna Beach: Sewage Collection System	Laguna Beach	NON15	11/27/2006
Moulten Nigel WD: Sewage Collection System	Laguna Niguel	NON15	11/27/2006
Santa Margarita WD: Sewage Collection System	Rancho Santa Margarita	NON15	11/27/2006
SOCWA: San Juan Creek Ocean O/F	San Juan Capistrano	NPDES	11/27/2006
City of San Clemente: Sewage Collection System	San Clemente	NON15	11/27/2006
Trabuco Canyon WD: Sewage Collection System	Trabuco Canyon	NON15	11/27/2006
San Diego County: Rancho Del Campo WPCF	Campo	NON15	11/29/2006

<b>Notice of Violation</b>			
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San Diego County: San Pasqual Academy	Escondido	NON15	11/13/2006
City of San Diego: Point Loma Ocean Outfall	San Diego	NPDES	11/14/2006
Atlas Hotel: Town & Country Hotel	San Diego	CONSTW	11/14/2006
US IBWC: South Bay IWTP	San Diego	NPDES	11/27/2006

<b>Notice of Violation &amp; 13267 Investigative Orders</b>			
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Sweetwater Union HS District: School No. 13	Chula Vista	CONSTW	11/1/2006
Asby USA LLC: Roripaugh Ranch	Murrieta	CONSTW	11/2/2006
Lennar Homes of CA: Hunter Ridge Tract 31878	Murrieta	CONSTW	11/9/2006
AAA Foreign Auto Recycling	San Diego	INDSTW	11/14/2006
San Juan Hills HS: New construction	San Juan Capistrano	CONSTW	11/21/2006

Mountain Water Ice Com: Oceanside Ice Plant	Oceanside	NPDES	11/27/2006
US Navy: Sewage Collection System	San Diego	NON15	11/28/2006
US Navy: Sewage Collection System	San Diego	NON15	11/29/2006

<b>Administrative Civil Liability</b>			
Poway Unified School District: Garden Road Elem School	Poway	CONSTW	11/8/2006

<b>Settlement</b>			
Johnson/Vail Lake LLC: Vail Lake	Temecula	CONSTW	11/13/2006

Program

CONSTW	Construction Storm Water
INDSTW	Industrial Storm Water
NPDES	National Discharge Elimination System
NON15	Waste Discharge Requirements

15. Wetlands Recovery Project (*Bruce Posthumus*)

The Southern California Wetlands Recovery Project (WRP) is made up of eighteen federal and state agencies, including the SDRWQCB, working cooperatively with local governments, businesses, non-profit organizations, and other stakeholders to protect and restore wetlands in the coastal watersheds of southern California.

The WRP Board of Governors is the decision-making body of the WRP. The Board of Governors consists of high level representatives of all the member agencies. The WRP also includes the Wetlands Mangers Group (which consists of staff representatives of all the member agencies), a Science Advisory Panel, a Public Advisory Committee, and task forces in each of the five counties within the WRP area of interest. The State Coastal Conservancy provides staffing for the WRP.

The WRP Board of Governors met on November 14, 2006 in Los Angeles. All of the meeting's action items had to do with a proposed wetlands monitoring program known as the Integrated Wetlands Regional Assessment Program (IWRAP). The WRP Science Advisory Panel has been developing IWRAP at the request of the Board of Governors. At the November 14 meeting, the Board of Governors acted to:

- Endorse the conceptual framework of IWRAP recommended by the Science Advisory Panel;
- Commit their respective agencies to pursue implementation of IWRAP as recommended by the Science Advisory Panel for estuarine wetlands; and

- Request the Science Advisory Panel to develop IWRAP recommendations for riparian wetlands in consultation with the Wetlands Managers Group.

Implementation of IWRAP as recommended by the Science Advisory Panel would involve making changes in SDRWQCB requirements for monitoring and reporting by certain dischargers subject to waste discharge requirements, waivers of waste discharge requirements, and/or Clean Water Act section 401 certification.

The November 14 meeting of the WRP Board of Governors was the first at which Richard Wright represented the SDRWQCB. Bruce Posthumus represents the SDRWQCB at meetings of the WRP Wetlands Managers Group and the San Diego County and Orange County task forces of the WRP.

The WRP website (which is not up-to-date) is at <http://www.scwrp.org/index.htm>.

16. Chula Vista Bayfront Master Plan Draft EIR Review (*Christopher Means*)  
(Attachment B-16)

During the public forum portion of the November 8, 2006 Regional Board Meeting, Laura Hunter of the Environmental Health Coalition brought attention to the Chula Vista Bayfront Master Plan (CVBMP) Draft Environmental Impact Report, and suggested that, as a Responsible Agency, the Regional Board review and comment on the CEQA document.

The CVBMP is a joint planning effort of the San Diego Unified Port District, the City of Chula Vista, and Pacifica Companies, a private firm holding an option to purchase land in the northern portion of the planning area. The CVBMP project area encompasses approximately 550 acres (490 acres of Land area and 60 acres of water area) in the City of Chula Vista on the southeastern edge of the San Diego Bay. The project proposes to redevelop the area with a variety of uses including: park, open space, civic/cultural, recreational, residential, hotel, office, entertainment, and retail.

The CVBMP project area is divided into 3 distinct districts (see attachment B-16). From north to south these include the Sweetwater, Harbor and Otay Districts. The Sweetwater District, approximately 129 acres, is just south of the Sweetwater Marsh National Wildlife Refuge, south to the current boatyard site. The Harbor district, approximately 280 acres, includes the middle section of the project site, between the boatyard on the north and the J Street/Marina Parkway to the South. The Otay District, approximately 153 acres, includes the southern portion of the project area consists primarily of industrial facilities such as the SDG&E 230 Kilovolt transmission lines and electrical switchyards.

The Southern Watershed Unit and the Site Mitigation and Cleanup Unit are in the process of reviewing pertinent sections of the Draft EIR, and will be submitting comments on the project prior to the close of the public comment period on January 11, 2007.

17. Concrete Discharge to Chollas Creek (*Frank Melbourn*)

On November 20, 2006, Oscar Pereyra, individually and d.b.a. Bulldog Concrete Pumping, pled guilty to three misdemeanor counts of Fish and Game Code section 5650. On March 30, 2005, Bulldog discharged concrete to Chollas Creek, just upstream of the National Avenue overpass, 0.7 miles from San Diego Bay. The City of San Diego's Office of the City Attorney prosecuted the case with assistance from the California Department of Fish and Game (DFG). Pursuant to the plea bargain Mr. Pereyra must do the following:

- Pay a \$100 fine to the City of San Diego;
- Pay DFG \$5,000 to its Remediation Account, \$1,680 for investigative costs, and a \$15 fine; and
- Perform 50 hours of community service work painting storm drain pollution warning signs on storm drain inlets.

Furthermore, Mr. Pereyra must comply with all reasonable requests of the Regional Board regarding the removal of the concrete from Chollas Creek. The Regional Board intends to issue Mr. Pereyra a Cleanup and Abatement Order to address the illegal discharge of concrete to Chollas Creek. The U.S. Army Corps of Engineers advised the Regional Board that the cleanup will require an individual Clean Water Act section 404 permit, and a Clean Water Act section 401 Water Quality Certification from the Regional Board. Regional Board Members will be kept informed on the status of the cleanup as future developments occur.

18. All Smash Auto Recycling Enforcement Status Report (*Dave Gibson*)

The All Smash Auto Recycling facility in Chula Vista is permitted under the statewide General Industrial Storm Water Permit Order 97-03-DWQ (General Permit). On September 21, 2006, a Clean Up and Abatement Order (CAO) was issued by the Regional Board to the owner and operator of the facility. This action followed a series of inspections by Regional Board and City of Chula Vista and several enforcement actions by the City of Chula Vista. In addition, All Smash has been delinquent for two years in paying of annual fees; one payment was made in November, and another is expected in December. The deadline for compliance with the CAO was not met. An inspection on December 7, 2006 found that practices that contributed to the discharges and violations of the General Permit had been resumed with the result that threatened discharges of petroleum products to waters of the state were identified. Further enforcement action is being considered against this discharger for violations of the CAO and General Permit.

19. Invasive New Zealand Mud Snail (*Lilian Busse and Dave Gibson*)

The New Zealand Mud Snail (NZMS), scientifically known as *Potamopyrgus antipodarum*, is approximately 1/8 of an inch (5 millimeters) in length and a highly invasive aquatic snail. The NZMS spreads by attaching themselves to

waders, fishing gear, shoes, equipment, animals and boots. They can grow in large quantities and densities up to 500,000 organisms per square meter. The NZMS can reproduce asexually, and therefore one individual is enough to form large populations. New Zealand mud snails appear able to tolerate and flourish in most lakes and streams across a wide range of temperatures, substrates, salinities, and habitat sizes. There is evidence that they especially thrive in the disturbed or degraded conditions that characterize urban southern California streams. It is nearly impossible to contain or eradicate NZMS once they have invaded an aquatic ecosystem. They can survive several days out of the water under wet conditions. In New Zealand, co-evolved predators and trematode parasites control populations of the NZMS, but there are no similar natural controls on these snails in North America.

The NZMS was first discovered in Idaho 20 years ago. Since then, they have spread into Montana, Oregon, Utah, Wyoming (including Yellowstone National Park), and Colorado. In California, they were first discovered in 2000 in the Owens River in the Eastern Sierra Nevada. It has been spread to Hot Creek, Putah Creek, Napa River, Mokelumne River, Piru Creek, and the Calaveras River. In February of 2006, the NZMS was first confirmed in southern California in the Santa Clara hydrologic unit. The Heal the Bay Stream Team confirmed the presence of the NZMS in the Malibu Creek watershed in June of 2006. In November 2006, the NZMS was found in the San Diego Region in the San Juan Hydrologic Unit in Arroyo Trabuco Creek and Segunda Deschecha Creek. The NZMS has not yet been found in San Diego County, but is likely to be introduced if effective prevention measures are not implemented as soon as practicable.

To date, there has been little research on the potential impacts of NZMS on other aquatic resources in North America, but there is general consensus that NZMS could have a significant impact on the aquatic ecosystem. Because of their massive density and quantity, the NZMS can out-compete and reduce the numbers of native aquatic invertebrates, which are the food source of fish and amphibians. For example, the presence of the NZMS in the Malibu Creek watershed and San Juan Hydrologic Unit might threaten the efforts to restore the endangered southern steelhead trout. In addition, the NZMS might impact the use of benthic macroinvertebrates for bioassessment studies by fundamentally changing stream communities. The California Aquatic Bioassessment Workgroup (November 29 & 30, 2006) dedicated a whole session and a plenary discussion on the NZMS. The panel discussed possibilities and procedures to avoid the spreading of the NZMS (e.g. freezing or high temperature heating and drying of boots/equipment, or the use of copper sulfate) and necessary public outreach.

As with most aquatic nuisance species, management options after an established invasion are very limited due to its rapid, year-round reproduction and ready distribution. Prevention and education are the most effective measures to limit NZMS outbreaks. A multi-lingual outreach targeted at

recreational users in San Diego County should be implemented at the earliest opportunity. This effort should include brochures, signs, and presentations with emphasis on dangers of the invasive NZMS with simple ways users can prevent the transportation and introduction of the snails to waterbodies. There is the added concern that the NZMS can possibly be introduced by water quality monitoring activities. Therefore, monitoring activities required by the SDRWQCB should have appropriate techniques in place (e.g. as an amendment to the monitoring plans, and/or as a requirement in the QAPP) to prevent the introduction and spreading of the NZMS in the San Diego Region.

More information on the NZMS can be found at:

<http://www.anstaskforce.gov/spoc/nzms.php>

[http://www.healthebay.org/news/2006/06\\_08\\_nzmudsnail/default.asp](http://www.healthebay.org/news/2006/06_08_nzmudsnail/default.asp)

[http://www.dfg.ca.gov/fishing/html/Administration/MudSnail/Mudsnail\\_0.htm](http://www.dfg.ca.gov/fishing/html/Administration/MudSnail/Mudsnail_0.htm)

<http://www.protectyourwaters.net/>

20. William Johnson/Vail Lake Settlement Agreement Filed with San Diego County Superior Court (Frank Melbourn)

On November 15, 2006 a fully executed copy of the William Johnson/Vail Lake, LLC settlement agreement was filed with the San Diego County Superior Court. The Regional Board had previously voted to accept the settlement agreement at the November 8, 2006 Regional Board meeting. The agreement had four main components:

- Johnson dismisses the Superior Court case against the Regional Board (case no. GIC 815227);
- Regional Board rescinds the \$422,200 Administrative Civil Liability imposed against Johnson (Order No. R9-2002-0027) in 2002;
- Parties release each other from causes of action from July 7, 1999 to November 8, 2006; and
- Parties bear their own attorneys' fees.

The filing of the settlement should end all enforcement and litigation actions by the Regional Board in this matter. No further action on this matter is expected.

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

1. Progress Report on State Water Board Project to Develop Rapid Tests for Indicator Organisms (*Julie Chan*)

The State Water Board is conducting studies to develop rapid diagnostic tests for indicator organisms. Conventional culture-based methods currently used to evaluate bacterial contamination of recreational waters require an 18 to 24-hour incubation period. However significant changes in indicator bacteria levels occur much more rapidly than every 24 hours. This lag time means that beach waters with bacterial levels exceeding water quality objectives are not posted or closed until at least the following day. The State Water Board is conducting the studies in conjunction with the Department of Health Services.

Rapid test methods development began in May 2003. To date, results from two methods, the quantitative polymerase chain reaction (QPCR), and transcription-mediated amplification (TMA) methods were more than 80 percent in agreement with the two traditional methods used in this study. A beta testing of the two methods is underway. The beta testing uses the methods on typical ambient samples, instead of laboratory created samples, in parallel with existing methods. Also, the new methods will be conducted by the public health laboratories instead of the research groups.

2. 2008 Integrated Report – List of Impaired Waters and Surface Water Quality Assessment [Clean Water Act Sections 303(d) and 305(b)] (*Lesley Dobalian*)

The State Water Board initiated a public solicitation period on December 4, 2006 to request data and information regarding water quality conditions in surface waters of California. Information gathered will be used to provide the basis for identifying and listing impaired waters, and for assessing overall surface water quality conditions in California. In addition to the distribution initiated by the State Water Board, the solicitation letter was sent to the San Diego Water Board's agenda mailing lists, 303(d) mailing lists, and is posted on the San Diego Water Board's website. The solicitation period ends on February 28, 2007.

**Background Information**

Every two years, the State of California is required by the Federal Clean Water Act (CWA) section 303(d) and Title 40, Code of Federal Regulations section 130.7 to develop and submit to the U.S. Environmental Protection Agency (USEPA) for approval a list of polluted waters or water quality limited segments. This list is commonly referred to as the "Section 303(d) List" or the "List of Impaired Waters."

The list includes water bodies not meeting water quality standards (beneficial uses, water quality objectives/criteria and the State's anti-degradation policy). In addition, currently-listed waterbodies can be delisted when evidence reveals that such impacts have ceased, impacts never existed, or the water body is meeting



water quality standards. As required by federal law, listed water bodies will be scheduled for development of Total Maximum Daily Loads (TMDLs) or other appropriate regulatory actions. A TMDL is the total maximum daily load of a pollutant that can be discharged into a given waterbody and still ensure the attainment of applicable water quality standards. In addition, Clean Water Act section 305(b) requires states to submit to USEPA for approval a report assessing statewide surface water quality.

### **2008 Integrated Report**

For the 2008 update, the List of Impaired Waters [303(d) List] and the Surface Water Quality Assessment [305(b) Assessment] will be combined into an Integrated Report. This Integrated Report is due to USEPA by April 1, 2008. The State Water Board prepared the 2006 Integrated Report for all of California. However, for 2008 each Regional Water Board will assess their Region's surface water quality. Therefore, the San Diego Water Board staff will compile and evaluate the data, prepare fact sheets, facilitate public outreach, conduct workshop(s), and submit the 303(d) List for San Diego Water Board approval. The assessment will then be forwarded on to the State Water Board for their consideration and adoption, and lastly on to USEPA for final approval.

### **3. 2006 Section 303(d) List of Water Quality Limited Segments (Lesley Dobalian)**

The U.S. Environmental Protection Agency (USEPA) granted partial approval of the 2006 Federal Clean Water Act Section 303(d) List of Water Quality Limited Segments for California, submitted by the State Water Board to USEPA on November 24, 2006. The approval included all of the listings presented to USEPA except for one listing from the Los Angeles Region. The USEPA is still evaluating whether to add additional waters and pollutants to the list, and will issue a separate decision concerning those assessments at a later date. The final 2006 State Water Board approved List can be found on their website at [http://www.waterboards.ca.gov/tmdl/303d\\_lists2006.html](http://www.waterboards.ca.gov/tmdl/303d_lists2006.html). There is also a link on our Regional Board website to the Region 9 portion of the List at <http://www.waterboards.ca.gov/sandiego/programs/303dlist.html>.

### **4. Areas of Special Biological Significance - Natural Water Quality Committee (Bruce Posthumus)**

Areas of Special Biological Significance (ASBS) are ocean areas designated by the SWRCB as "requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable." The SWRCB has designated thirty four ASBS; three of these are located entirely within the San Diego region; a fourth is located partly in the San Diego region and partly in the Santa Ana region.

The SWRCB Ocean Plan prohibits waste discharges to ASBS. However, exceptions to Ocean Plan requirements can be granted by the SWRCB with the concurrence of the U.S. Environmental Protection Agency. In November 2002, the University of California San Diego Scripps Institution of Oceanography (SIO) requested an exception from the Ocean Plan prohibition of waste discharges to

ASBS. In July 2004, the SWRCB granted SIO such an exception (Resolution No. 2004-0052) for across-the-beach discharges of waste seawater from aquaria and research laboratories, seawater filter backwash, and runoff to the San Diego Marine Life Refuge ASBS. The exception was granted subject to a number of conditions which the SWRCB directed the SDRWQCB to include in waste discharge requirements (WDR) for SIO. In February 2005, the SDRWQCB adopted WDR (Order No. R9-2005-0008) for SIO which included those conditions.

One of the conditions of the Ocean Plan exception and WDR for SIO is that "natural water quality conditions in the receiving water, seaward of the surf zone, must not be altered as a result of the discharge." The Ocean Plan exception and WDR for SIO assign the task of defining "natural water quality" to an advisory committee created by the SWRCB and composed of SWRCB and SDRWQCB staff, a representative from SIO, and two scientists selected by SDRWQCB from academic organizations other than SIO. At a minimum, the advisory committee is supposed to meet annually to review monitoring data and to advise the SDRWQCB whether natural water quality is being altered in the ASBS as a result of the SIO discharges.

The advisory committee, referred to as the ASBS Natural Water Quality Committee, has met several times, most recently on December 1, 2006 at SIO. The advisory committee has agreed that its efforts should focus on the following questions:

- Are permit limits being met?
- Are water quality objectives being met?
- What are the impacts to marine species and communities?
- What would ambient marine water quality be like without waste discharges?
- How does effluent impact ambient marine water quality?

The advisory committee has also agreed that its work should provide guidance for assessing natural coastal ocean water quality and impacts to water quality and marine life in any ASBS. The advisory committee has not yet made a determination of whether natural water quality is being altered in the ASBS as a result of the SIO discharges. Pete Michael has represented the SDRWQCB on the advisory committee. Bruce Posthumus will take his place when Mr. Michael retires at the end of 2006.

Information about ASBS, the Ocean Plan exception and WDR for SIO, and the advisory committee is available at <http://www.waterboards.ca.gov/plnspols/asbs.html>.

5. Aquatic Pesticides and USEPA Definition of Pollutants (Peter Michael)  
The Sacramento Bee reported "Using pesticides over water OK'd; EPA says special permits not needed... The Bush administration pleased farmers and

*frustrated environmentalists Monday by declaring that pesticides can be sprayed into and over waters without first obtaining special permits.”*  
(<http://www.sacbee.com>, November 28, 2006)

The latest USEPA opinion of November 27, 2006 does not appear to invalidate California's National Pollutant Discharge Elimination System (NPDES) aquatic pesticide general permits. Although the State Water Resources Control Board has not yet issued a statement addressing this USEPA rule, until the State Board rescinds its general pesticide permits, pesticide applicators should continue to follow pesticide label instructions, submit monitoring data to the regional water boards, and comply with requirements of their existing NPDES aquatic pesticide weed and vector permits.

Two federal laws are considered in USEPA's opinion: The federal Clean Water Act and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). FIFRA establishes label instructions, which if followed, are presumed to protect human health and the environment. The Clean Water Act requires a National Pollutant Discharge Elimination System permit for discharges of waste pollutants to waters of the United States. Clean Water Act Section 502(6) defines "pollutant" as "...dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged to water." Pesticides are not specifically listed as pollutants, and for 30 years USEPA has never issued an NPDES permit under the Clean Water Act for application of pesticides to water or over water. USEPA instead has regulated pesticides under FIFRA and has required pesticide manufacturers to submit research data on formulations to be registered and to suggest label instructions. Because FIFRA does not require site specific monitoring, environmental groups have argued that NPDES permits are required for pesticide applications. In March 2001 the 9<sup>th</sup> Circuit Appeals Court agreed with this argument.

In *Headwaters, Inc. v. Talent Irrigation District* the 9<sup>th</sup> Circuit maintained in March 2001 that Talent should have obtained an NPDES permit before releasing a powerful herbicide from a drainage canal into an Oregon river. The release of the herbicide killed 92,000 steelhead trout. California, Oregon, and Washington responded to the Circuit Court opinion by adopting permits for applications of aquatic pesticides. The State Board's current aquatic pesticide NPDES general permits are Orders 2004-0008-DWQ for mosquitoes and 2004-0009-DWQ for weeds. (<http://www.waterboards.ca.gov/npdes/aquatic.html>).

In 2002 USEPA general counsel Robert Fabricant issued an opinion that irrigation return flows are not subject to the Clean Water Act. In October 2003 the State Water Resources Control Board requested USEPA modify its pesticide regulations to become consistent with the 9<sup>th</sup> Circuit opinion. The State Water Board also has consistently stated that because California issued the permits

and because the permits contained additional state waste discharge requirements more stringent than federal requirements, California aquatic pesticide permits continue to have standing. The November 27, 2006 Federal Register states USEPA's latest arguments that pesticide applications are not discharges of pollutants or wastes under the Clean Water Act, (1) directly to U.S. waters to control pests, or (2) over or near U.S. waters to control pests. This final rule applies to 40 CFR Part 122.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

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

**December 13, 2006**

**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>December 13, 2006</b>										
<b>FEBRUARY 14, 2007 RB MEETING</b>	<b>San Diego Regional Board Office</b>									
	GROUNDWATER EXTRACTION GENERAL PERMIT FOR SAN DIEGO BAY	NPDES Permit Reissuance	NA	50%	0%	0%	February 14, 2007	No	NPDES Workplan FY 2004-05	Alpert
	So ORANGE COUNTY WASTEWATER AUTHORITY ALISO CREEK DISCHARGE TO OCEAN OUTFALL	NPDES Permit Revision	100%	80%	90%	0%	February 14, 2007	No		Cofrancesco
	HUBBS RESEARCH AGUA HEDIONDA LAGOON PERMIT REISSUANCE	NPDES Permit Reissuance	100%	100%	100%	0%	February 14, 2007	No		Becker
	HUBBS RESEARCH AGUA HEDIONDA LAGOON COMPLIANCE TIMESCHEDULE	Hearing: Cease Desist Order	NA	100%	100%	0%	February 14, 2007	No		Becker
	KAMPEN BROS. (fmr.DeJAGER/BOERSMA) DAIRY RIVERSIDE COUNTY	NPDES Permit Reissuance	0%	90%	0%	0%	February 14, 2007	Yes	NPDES Workplan FY 2005-06	Morris
	FRANK J. KONYN DAIRY SAN PASQUAL VALLEY SAN DIEGO COUNTY	NPDES Permit Reissuance	80%	90%	0%	0%	February 14, 2007	Yes	NPDES Workplan FY 2005-06	Valdovinos
	T.D. DAIRY (VAN TOL DAIRY) RAMONA	NPDES Permit Reissuance	0%	90%	0%	0%	February 14, 2007	Yes	NPDES Workplan FY 2005-06	Valdovinos
	CITY OF ESCONDIDO HAARF WATER RECLAMATION PROJECT	WDR Revision	100%	50%	0%	0%	February 14, 2007	Yes		Morris
	VALLECITO MUN. WATER DISTRICT MEADOWLARK FACILITY	WDR Update	90%	50%	0%	0%	February 14, 2007	Yes		Becker
	SAN DIEGO STATE UNIV. RESEARCH COASTAL WATER LABORATORY SAN DIEGO BAY	NPDES New Permit	100%	100%	100%	50%	February 14, 2007	Yes		Vasquez
	<b>MARCH 14, 2007 RB MEETING</b>									
	<b>San Diego Regional Board Office</b>									
	DAKOTA RANCH DEVELOPMENT CO. 401 WATER QUALITY CERTIFICATION	Hearing: Admin. Civil liability	100%	NA	100%	20%	March 14, 2007	No	ACL COMPLAINT \$140,500	Melbourn
	<b>APRIL 11, 2007 RB MEETING</b>									
	<b>Meeting Location in Orange County</b>									
	ORANGE COUNTY MUNICIPAL STORMWATER PERMIT	Hearing: NPDES Permit Reissuance	0%	50%	0%	0%	April 11, 2007	No		Smith
	GROUNDWATER EXTRACTION GENERAL PERMIT FOR REGION	NPDES Permit Reissuance	NA	50%	0%	0%	April 11, 2007	No	NPDES Workplan FY 2004-05	Alpert

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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>December 13, 2006</b>										
	<b>MAY 9, 2007 RB MEETING</b>									
	San Diego Regional Board Office									
	OCEAN DISCHARGER RECEIVING WATER MONITORING PROGRAM UPDATES	NPDES Permits Revisions	NA	0%	0%	0%	May 9, 2007	No	NPDES Workplan FY 2004-05	Kelley
	<b>JUNE 13, 2007 RB MEETING</b>									
	Mtg. Location either Orange Co or RB Office									
	ORANGE COUNTY MUNICIPAL STORMWATER PERMIT	Hearing: NPDES Permit Reissuance	0%	50%	0%	0%	June 13, 2007	No		Smith
	<b>PENDING / UNSCHEDULED ACTIONS</b>									
	PROPOSED GREGORY CANYON LANDFILL NORTH SAN DIEGO COUNTY	Hearing: New WDRs	100%	85%	85%	0%		No		Tamaki
	CHOLLAS CREEK HEAVY METALS TOTAL MAXIMUM DAILY LOAD	Adoption TMDL	NA	NA	100%	20%		No	TMDL Workplan FY 2006-07	Tobler
	<b>REGIONWIDE BACTERIA TOTAL MAXIMUM DAILY LOAD</b>	Adoption TMDL	NA	NA	100%	20%		No	TMDL Workplan FY 2005-06	Arias

SANITARY SEWER OVERFLOW STATISTICS (Updated through October 31, 2006)

SEWAGE COLLECTION AGENCY	SYSTEM SIZE <sup>B</sup>		NO. OF SEWAGE SPILLS [LISTED BY FISCAL YEAR (FY) - JULY 1 THROUGH JUNE 30]				SPILLS PER 100 MILES (LISTED BY FY)				SPILL VOLUME 2006-07 <sup>A</sup>		NO. OF PRIVATE SPILLS <sup>E</sup>	VOLUME OF PRIVATE SPILLS GAL			
	Miles	MGD	02-03	03-04	04-05 <sup>A</sup>	05-06A	06-07 <sup>A</sup>	02-03	03-04	04-05 <sup>A</sup>	05-06A	06-07 <sup>A</sup>			GAL	GAL/MG <sup>C</sup>	
<b>ORANGE COUNTY:</b>																	
EL TORO WD	55	2.2	1	3	3	2	0	0	1.8	5.5	5.5	3.7	0.0	0	0	1	8
EMERALD BAY SERVICE DISTRICT	6	0.1	0	0	1	0	0	0	0.0	0.0	16.7	0.0	0.0	0	0	0	0
IRVINE RANCH WD	36	2.0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0	0	0	0
LAGUNA BEACH, CITY OF	95	2.4	27	8	11	5	2	28.4	8.4	12.6	5.3	2.1	1000	3	7	273	
MOULTON NIGUEL WD	530	13.0	1	2	5	1	1	0.2	0.4	0.9	0.2	0.2	600	0	0	0	
SAN CLEMENTE, CITY OF	179	4.5	7	2	5	2	3	3.9	1.1	2.8	1.1	1.7	1050	2	3	100	
SAN JUAN CAPISTRANO, CITY OF	100	3.4	0	1	2	0	1	0.0	1.0	2.0	0.0	1.0	5300	10	0	0	
SANTA MARGARITA WD	546	10.7	4	5	6	4	1	0.7	0.9	1.1	0.7	0.2	0	0	1	300	
SOUTH COAST CWD	132	4.0	8	7	4	3	1	6.1	5.3	3.0	2.3	0.8	150	0	3	80	
TRABUCO CANYON WD	43	0.7	0	1	3	0	1	0.0	2.3	7.0	0.0	2.3	0	0	0	0	
<b>RIVERSIDE COUNTY:</b>																	
EASTERN MWD	421	9.5	3	7	0	0	1	0.7	1.7	0.0	0.0	0.2	1070000	736	0	0	
ELSINORE VALLEY MWD	80	2.0	0	1	3	1	0	0.0	1.3	3.8	1.3	0.0	0	0	0	0	
MURRIETA MWD	25	0.5	0	1	0	0	0	0	4.0	0.0	0.0	0.0	0	0	0	0	
RANCHO CA WD	71	2.9	0	1	2	1	1	0.0	1.4	2.8	1.4	1.4	600	1	0	0	
<b>SAN DIEGO COUNTY:</b>																	
BUENA SANITARY DISTRICT	84	1.9	2	1	2	3	0	2.4	1.2	2.4	3.6	0.0	0	0	0	0	
CARLSBAD MWD	214	7.2	6	6	12	10	5	2.8	2.8	4.7	4.7	2.3	2437	2	3	690	
CHULA VISTA, CITY OF	400	16.0	3	1	7	4	1	0.8	0.3	1.3	1.0	0.3	200	0	5	377	
CORONADO, CITY OF	53	3.8	2	5	0	0	0	3.8	9.4	0.0	0.0	0.0	0	0	0	0	
DEL MAR, CITY OF	30	1.1	7	1	0	2	0	23.4	3.3	0.0	6.7	0.0	0	0	0	0	
EL CAJON, CITY OF	198	9.1	3	0	3	0	3	1.5	0.0	1.5	0.0	1.5	4100	3	0	0	
ENCINITAS, CITY OF	118	4.1	6	1	5	0	1	5.1	0.8	4.2	0.0	0.8	0	0	0	0	
ESCONDIDO, CITY OF	350	10.8	3	2	4	4	4	0.9	0.6	1.1	1.1	1.1	260	0	3	190	
FAIRBANKS RANCH COMM SERV DIST	15	0.2	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	
FALLBROOK PUBLIC UTILITY DIST	72	2.0	22	9	10	8	0	30.6	12.5	13.9	11.1	0.0	0	0	2	90	
IMPERIAL BEACH, CITY OF	84	2.2	14	2	8	2	0	16.7	2.4	9.5	2.4	0.0	0	0	0	0	
LA MESA, CITY OF	155	5.8	3	4	3	0	0	1.9	2.6	1.9	0.0	0.0	0	0	0	0	
LEMON GROVE, CITY OF	69	2.4	4	4	3	0	0	5.8	5.8	4.3	0.0	0.0	0	0	0	0	
<b>SAN DIEGO COUNTY (continued):</b>																	
LEUCADIA CWD	185	4.2	6	1	6	3	0	3.2	0.5	2.7	1.6	0.0	0	0	0	0	
NATIONAL CITY, CITY OF	97	5.1	1	2	1	4	0	1.0	2.1	1.0	4.1	0.0	0	0	0	0	
OCEANSIDE, CITY OF, WTR UTIL DEP	446	13.0	23	22	13	7	0	5.2	4.9	3.1	1.6	0.0	0	0	1	700	
OLIVENHAIN MWD	16	0.4	2	0	3	0	0	12.5	0.0	18.8	0.0	0.0	0	0	0	0	
OTAY MWD	86	1.4	3	1	0	0	0	3.5	1.2	0.0	0.0	0.0	0	0	0	0	
PADRE DAM MWD	150	5.1	3	3	1	1	0	2.0	2.0	0.7	0.7	0.0	0	0	0	0	



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	Miles	MGD	02-03	03-04	04-05 <sup>A</sup>	05-06A	06-07 <sup>A</sup>	02-03	03-04	04-05 <sup>A</sup>	05-06A	06-07 <sup>A</sup>		GAL	GAL/MG <sup>C</sup>	GAL	GAL
			01-02	02-03	03-04	04-05 <sup>A</sup>	05-06A	06-07 <sup>A</sup>	01-02	03-04	04-05 <sup>A</sup>	05-06A					
PAUMA VALLEY COMM SERVICE DIS	8	0.7	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	
POWAY, CITY OF	170	4.0	5	3	0	5	0	2.9	1.8	0.0	2.9	0.0	0	0	0	0	
RAINBOW MWD	54	0.7	2	6	2	0	1	3.7	11.1	3.7	0.0	1.8	3000	27	1	761	
RAMONA MWD	83	1.3	2	2	4	4	0	2.4	2.4	3.6	4.8	0.0	0	0	0	0	
RANCHO SANTA FE COMM SERV DIST	52	0.4	1	0	2	0	0	1.9	0.0	3.9	0.0	0.0	0	0	0	0	
SAN DIEGO CO, PUBLIC WORKS	380	11.0	11	2	2	3	0	2.9	0.5	0.5	0.8	0.0	0	0	0	0	
SAN DIEGO, CITY OF, MWWD	2894	170.1	193	115	122	82	37	6.7	4.0	3.3	2.8	1.3	55121	2	49	7870	
SOLANA BEACH, CITY OF	52	1.2	1	6	1	1	0	1.9	11.5	0.0	1.9	0.0	0	0	1	2000	
USMC BASE, CAMP PENDLETON	194	3.1	23	14	12	16	5	11.9	7.2	5.2	8.3	2.6	6900	15	0	0	
US NAVY	123	4.0	12	11	13	11	7	9.8	9.0	10.6	9.0	5.7	#####	23248	1	50	
VALLECITOS WD	202	6.1	5	4	6	7	0	2.5	2.0	2.5	3.5	0.0	0	0	0	0	
VALLEY CENTER MWD	48	0.3	3	1	1	0	0	6.3	2.1	2.1	0.0	0.0	0	0	0	0	
VISTA, CITY OF	198	6.5	4	7	9	5	1	2.0	3.5	4.6	2.5	0.5	6000	6	0	0	
WHISPERING PALMS COMM SERV DIS	17	0.3	1	0	0	0	0	5.8	0.0	0.0	0.0	0.0	0	0	0	0	
REGION 9 TOTAL	9615	363	427	275	266	201	77						#####		81	13489	
AVERAGE <sup>1</sup>								4.4	2.9	2.8	2.1	0.8		512			
STANDARD DEVIATION <sup>2</sup>								7.0	3.4	4.4	2.6	1.1		3390			
MEDIAN <sup>3</sup>								2.4	2.0	2.5	1.0	0.0		0			

<sup>A</sup> Includes available preliminary data for July 1, 2004 through November 30, 2006, and may not include all spills less than 1,000 gallons that did not enter surface waters or storm drains during this period.

<sup>B</sup> As of June 2003.

<sup>C</sup> Volume of spills for the period in gallons divided by the amount conveyed for the period in million gallons.

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

<sup>E</sup> Private property spills are not the responsibility of the sewerage agencies. The private spills are listed here to show locations of these spills from private property systems. Also, it is not a requirement of Order No. 96-04 for Public Sewer Agencies to report private property spills.

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

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

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

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS  
FOR THE PERIOD OF November 1, 2006 THROUGH November 30, 2006**

DATE	APPLICANT & LOCATION	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) <sup>1</sup>	MITIGATION (Acres) <sup>1</sup>	CERTIFICATION ACTION <sup>2</sup>
11/1/06	San Diego Gas and Electric, San Diego	Salt Creek 30-inch diameter Pipe Removal	Project will remove a 30-inch diameter steel pipe used as a crossing from Salt Creek. Crews will remove the pipe using a backhoe. No further work will be conducted to restore the stream banks.	Salt Creek, Otay Watershed	Streambed 0.0013 (T)	No compensatory mitigation proposed; Self Mitigating	Low Impact Certification and Waiver of Waste Discharge Requirements
11/1/06	Unified Port of San Diego/Harbor Police, San Diego	Marine Firefighting Burn Boat Training in San Diego Bay	A propane based firefighting unit will be placed on a barge in the San Diego Bay and will be used to complete Harbor Police Firefighting training. During training the firefighting vessels will be used that will pump water from the bay to extinguish the electric-start fires from the propane unit.	San Diego Bay	No fill or impacts to waterways or wetland habitat proposed or anticipated.	No compensatory mitigation proposed.	Low Impact Certification and Waiver of Waste Discharge Requirements
11/6/06	Miramar Transmission District, Vista	Buena Vista Creek Washout Repair Gas Transmission Line No. 3010, Vista	Repair of an exposed gas pipeline at Buena Vista Creek on the southern side of the creek.	Buena Vista Creek	Streambed 0.02 (T)	No compensatory mitigation proposed.	Low Impact Certification and Waiver of Waste Discharge Requirements

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11/6/06	City of San Diego Metropolitan Wastewater Department, San Diego	Miramar West Trunk Sewer	Construction of a new 24-inch diameter PVC sewer.	Rose Canyon Creek and Unnamed Ephemeral Streams	Wetland 0.06 (P) Wetland 0.80 (T) Streambed 0.72 (T)	Create 0.86 of wetland. Enhance 1.08 of wetland.	Technically-Conditioned Certification and Waiver of Waste Discharge Requirements
11/21/06	Rancho Santa Fe Lakes Partners LLC, San Diego County	Rancho Santa Fe Lakes	Development of 373 residential units on a 534 acre site.	Unnamed tributaries to the San Dieguito River	Wetland 1.37 (P) Streambed 3.92 (P)	Create: Wetland 2.18 Streambed 3.11 Restore: Wetland 0.73 Streambed 0.02	Technically-Conditioned Certification and Waiver of Waste Discharge Requirements

1. Wetland refers to vegetated waters of the U.S. and streambed refers to unvegetated waters of the U.S. (P) = permanent impacts. (T) = temporary impacts.
2. Low impact certification is issued to projects that have minimal potential to adversely impact water quality. Conditional certification is issued to projects that have the potential to adversely impact water quality, but by complying with technical conditions, will have minimal impacts. Denials are issued when the project will adversely impact water quality and suitable mitigation measures are not proposed or possible. Time expired refers to projects that may proceed due to the lack of an action by the Regional Board within specified regulatory timelines. Withdrawn refers to projects that the applicant or Regional Board have withdrawn due to procedural problems that have not been corrected within one year.

12/17/2006

Active Grant Funded Contracts San Diego Region

Attachment 1

N o.	HSA	Watershed(s)	Grantee/Contractor	Project Title	Grant Program	Grant	Match	Project Total	Begin Term	End Term	Contract No.	Contract Manager	Contact
1	900	Multiple	San Diego State University Foundation	San Diego Watershed Ambient Water Quality Monitoring by Citizens	Prop. 13 WPP	\$497,798	\$0	\$497,798	1/15/2005	3/31/2008 per Amendment (pending)	04-202-559-0	Woodward	Badr Badryha (619) 594-7293
10	900	San Diego County	SDRWQCB	Water Authority Reimbursable Account	SDCWA	\$150,000	\$0	\$150,000	7/1/2004	6/30/2007	04-902-190	Clemente/Smith	Sybil Wilson Ferrari (858) 322-6761
11	901	San Juan	City of Laguna Niguel	Upper Sulphur Creek Restoration	Prop. 13 NPS	\$928,723	\$263,057	\$1,191,780	5/1/2004	3/31/2007	03-189-559-0	Clemente/Smith	Nancy Palmer (949) 362-4384
22	901	San Juan	County of Orange Public Facilities and Resources Department	Munger Storm Drain Filtration	Prop. 13 NPS	\$204,500	\$29,925	\$234,425	6/5/2003	3/31/2007 per Amendment	02-177-559-2	Clemente/Smith	George Edwards (714) 567-6315
23	901	San Juan	Laguna Niguel Community Services District	The Sulphur Solution: Prevent, Control, Restore	Prop. 13 NPS	\$2,900,000	\$1,134,500	\$3,034,500	8/15/2004	3/31/2008 per Amendment	04-066-559-0	Clemente/Smith	Nancy Palmer (949) 362-4384
30	901	San Juan	Municipal Water District of Orange County	Smartwater/Edgescape Evaluation Program (SEEP)	USWP (2005-06 CGP, Prop 40)	\$992,000	\$488,439	\$1,480,439	11/1/2006	9/30/2008	06-211-559-0	Mills	Joseph Berg (714) 593-5008
32	901	San Juan	National Audubon Society	Bell, Dove, and Tick Creek Water Reclamation and Habitat Restoration Project	Prop. 13 NPS	\$402,000	\$148,000	\$550,000	6/20/2004	3/31/2007 per Amendment	03-188-559-0	Clemente/Smith	Peter Desimone (949) 658-0309
35	902	Santa Margarita	County of San Diego	Nutrient Reduction & Monitoring in Santa Margarita Watershed	AWQCP (2005-06 CGP, Prop 40-50)	\$600,000	\$200,000	\$800,000	td (encumbrance deadline = 6/30/07)	likely 3/2009	TBD	Felix	Jo Ann Weber (858) 495-5317
24	902	Santa Margarita	County of San Diego Department of Public Works Watershed Protection Program	Rainbow Creek Nutrient TMDL Implementation	319(f) Non-Point Source	\$321,436	\$59,618	\$381,054	TBD (likely 11/1/05)	12/31/2008	05-194-559-0	Felix	Jo Ann Weber (858) 495-5317 Sheri McPherson (858) 495-5283
25	903	San Luis Rey	Mission RCD	Anundo Control San Luis Rey Water Conservation, Pollution Reduction & Riparian Habitat Restoration	CNPS (2005-06 CGP, Prop 50)	\$900,000	\$225,000	\$1,125,000	td (encumbrance deadline = 6/30/08)	likely 3/2010	TBD	Woodward	Judy Mitchell (760) 728-0342
12	903	San Luis Rey	Sustainable Conservation	Permit Coordination for BMPs in the San Luis Rey Watershed	319(f) Non-Point Source	\$129,950	\$86,667	\$216,617	6/1/2003	12/01/06 per Amendment	02-170-259-1	Woodward	Carolyn Remick (415) 977-0380x302
13	904	Carlsbad	Aqua Hedionda Lagoon Foundation	Caulerpa taxifolia Eradication Project	319(f) Non-Point Source	\$500,000	\$600,000	\$1,100,000	9/1/2004	12/30/2007	03-285-559-0	Clemente/Smith	Craig Elliott
14	904	Carlsbad	City of OceanSide - Water Utilities Department	Myers Property and Adjacent Creek Habitat Restoration	Prop. 13 NPS	\$445,245	\$67,430	\$512,675	10/1/2004	3/31/2007	04-132-559-0	Woodward	Doug Edlow (760) 435-5012 Jayne Strommer (760) 726-1340
16	904	Carlsbad	City of Vista	Agua Hedionda Watershed Management Project	IWMP-PI (2005-06 CGP, Prop 40)	\$500,000	\$278,000	\$778,000	11/1/2006	9/1/2008	06-139-559-0	Porter	Jill Baniston (858) 495-5319
17	904	Carlsbad	County of San Diego Department of Public Works	McClellan-Palomar Airport Conveyance Restoration and Detention Basin	Prop. 13 NPS	\$700,000	\$105,000	\$805,000	12/15/2004	12/15/2007	04-201-559-0	Clemente/Smith	Jill Baniston (858) 495-5319
19	904	Carlsbad	San Elijo Lagoon Conservancy (SELCO) on Behalf of the Carlsbad Watershed Network (CWN)	Restoration of Riparian / Wetlands Habitat in the Carlsbad Hydrologic Unit	Prop. 13 WPP	\$3,960,000	\$0	\$3,960,000	7/1/2004	3/31/2007	04-083-559-0	Woodward	Doug Gibson (760) 803-4824
26	904	Carlsbad	SCCWPR	Creating tools for numeric nutrient criteria and TMDL development in San Diego Coastal lagoons	CNPS (2005-06 CGP, Prop 50)	\$989,000	\$245,000	\$1,234,000	td (encumbrance deadline = 6/30/08)	likely 3/2010	TBD	Busse	Martha Sutula (714) 372-9222
27	904	Multiple (All)	Aqua Hedionda Lagoon Foundation	Caulerpa taxifolia Surveillance and Eradication Program	Prop. 13 WPP	\$2,266,000	\$536,775	\$2,802,775	10/1/2004	3/31/2008 per Amendment	04-144-559-0	Clemente/Smith	Craig Elliott

N o.	HSA	Watershed(s)	Grantee/Contractor	Project Title	Grant Program	Grant	Match	Project Total	Begin Term	End Term	Contract No.	Contract Manager	Contact
33	905	San Dieguito	County of San Diego - Dept. Parks and Recreation	Santa Maria Creek Protection and Restoration Project	Prop. 13 NPS	\$1,500,000	\$2,010,780	\$3,510,780	6/1/2004	3/31/2007 per Amendment	03-176-559-0	Woodward	Maeva Hanley (858) 694-2968 Carole Melhorn (858) 495-5995
2	905	San Dieguito	County of San Diego, Dept of General Services	San Pasqual Academy Water Quality, Stormwater Mgt., Flood Control & Porous Pavement Project	USWP (2005-06 CGP, Prop 40)	\$750,000	\$250,000	\$1,000,000	likely 12/01/06	9/1/2008	06-215-559-0	Porter	Dennis Verrilli (858) 694-2059
6	905	San Dieguito	San Dieguito River Park	San Dieguito Lagoon Freshwater Runoff Treatment Ponds	IVMP-Im (2005-06 CGP, Prop 40)	\$550,017	\$1,361,000	\$1,911,017	11/1/2006	9/1/2008	06-138-559-0	Porter	Susan Carter (858) 674-2270
20	906	Penasquitos	Los Penasquitos Lagoon Foundation	Los Penasquitos Sediment Basin	NPSFCP (2005-06 CGP, Prop 40)	\$1,107,000	\$370,000	\$1,477,000	11/1/2006	9/1/2008	06-136-559-0	Woodward	Jean Jackson (760)729-3261 Mike Hastings (760) 436-5937
8	906	Penasquitos (Rose Creek)	The Nature Institute	Wetland Expansion Science and Technology Against Runoff (WESTAR)	Prop. 13 CNPS	\$236,000	\$77,000	\$313,000	6/1/2004	3/31/2007 per Amendment	03-256-559-0	Woodward	Gloria Carrillo (619) 224-2003 Robert La Rosa (619) 224-2003
3	906	Penasquitos (Mission Bay)	University of San Diego	Mission Bay Citizen Monitoring	3190(i) Non-Point Source	\$191,580	\$28,737	\$220,317	6/30/2002	12/31/06 per Amendment	02-184-559-1	Woodward	Dr. R. Kaufmann (619) 260-6825
4	907	San Diego	City of Santee	Forester Creek Improvement Project	Prop. 13 WPP	\$3,000,000	\$8,692,500	\$11,692,500	10/15/2004	3/31/2008 per Amendment	04-112-559-0	Clemente/ Smith	Frank Boydston (619) 238-4100 (ext. 182) 10601 Magnolia Ave. San Diego, CA 92071
18	907	San Diego	County of San Diego Department of Public Works Watershed Protection Program	Woodside Avenue Low Flow Water Quality Basin and Arundo Removal	Prop. 13 NPS	\$1,000,000	\$720,000	\$1,720,000	7/15/2004	7/30/2007	04-067-559-0	Clemente/ Smith	Jill Bankston (858) 495-5319
21	907	San Diego	County of San Diego Department of General Services	Porous Pavement and Model Municipal Operations Center Demonstration Project	Prop. 13 NPS	\$1,400,000	\$305,000	\$1,705,000	5/15/2004	3/31/2007	03-264-559-0	Clemente/ Smith	Dennis Verrilli (858) 694-2059
28	907	San Diego	County of San Diego, Dept of General Services	Porous pavement & model municipal operations center - Phase II	NPSFCP (2005-06 CGP, Prop 40)	\$1,500,000	\$500,000	\$2,000,000	11/1/2006	9/1/2008	06-135-559-0	Neill	Dennis Verrilli (858) 694-2059
5	907	San Diego	County of San Diego	San Diego County Falm Springs Regional Park LID Porous Pavement Pits Installation	USWP (2005-06 CGP, Prop 40)	\$798,500	\$399,500	\$1,198,000	12/2/2006	9/1/2008	06-220-559-0	Porter	Rosalinda Casala (858) 495-5265
36	907	San Diego	San Diego River Park-Lakeside Conservancy	Restoration and Recharge - Phase II	Prop. 13 WPP - SCFH	\$1,105,700	\$1,428,600	\$2,534,300	10/1/2004	3/31/2007	04-113-559-0	Clemente/ Smith	Robin Riordan (619) 443-4770

N o.	HSA	Watershed(s)	Grantee/Contractor	Project Title	Grant Program	Grant	Match	Project Total	Begin Term	End Term	Contract No.	Contract Manager	Contact
29	907	San Diego	San Diego River Park-Lakeside Conservancy	Restoration and Recharge	Prop. 13 WPP	\$1,290,725	\$0	\$1,290,725	5/1/2004	3/31/2007 per Amendment	03-169-559-0 (Revised for name change)	Clemente/Smith	Robin Rierdan (619) 443-4770
31	908	Multiple (All)	County of San Diego	San Diego Regional Integrated Pest Management (IPM) Education and Outreach Project	Prop. 13 NPS	\$1,000,000	\$352,500	\$1,352,500	7/1/2004	3/31/2007	04-017-559-0	Quach	Michelle Stress (858) 694-2794
37	908	Pueblo	City of San Diego	Chollas Creek Water Quality Protection & Habitat Enhancement Project	Prop. 13 NPS	\$2,244,000	\$529,406	\$2,773,406	7/1/2004	3/31/2008 per Amendment (pending)	04-015-559-0	Quach	Chris Zirkle (858) 292-6300 Drew Kleiss (619) 525-8623
34	911	Tijuana	County of San Diego Department of Public Works Watershed Protection Program	Invasive Species Removal in the Cottonwood Creek area of the Tijuana River Watershed	Prop. 13 WPP	\$637,500	\$72,762	\$710,262	7/15/2004	6/30/2008 per Amendment (pending)	04-065-559-0	Means	Jill Bankston (858) 495-5319
7	911	Tijuana	Southwest Wetlands Interpretive Association	Tijuana River Valley Invasive Plant Control Program	Prop. 13 WPP	\$1,112,936	\$0	\$1,112,936	6/15/2004	3/31/2007	03-272-559-0	Means	Mayda Winter (619) 575-0550
9	911	Tijuana	Southwest Wetlands Interpretive Association	Tijuana River Valley Invasive Plant Control Program - Phase 3	NPS/PCP (2005-06 CGP, Prop 40)	\$719,000	\$50,000	\$769,000	11/1/2006	9/1/2008	06-137-559-0	Means	Mayda Winter (619) 575-0550
15	300, 400, 800, & 900	Multiple - Regions 3,4,8,9	CAL-IPC	Arundo donax (giant reed) Complete High Resolution Regional Mapping: Salinas to Tijuana	CNPS (2005-06 CGP, Prop 50)	\$412,500	\$137,000	\$550,000	tdb (encumbrance deadline = 6/30/08)	likely 3/2010	Pending	Busse	Jason Glessow (760) 943-6924
38	300, 400, 800, & 900	Multiple - Regions 3,4,8,9	SCCWRP	Development of multimetric tools for setting numeric nutrient targets incl. a periphyton index	CNPS (2005-06 CGP, Prop 50)	\$1,476,400	\$224,000	\$1,720,400	tdb (encumbrance deadline = 6/30/08)	likely 3/2010	Pending	Busse	Betty Fetscher (714) 372-9237
39	400, 800, & 900	Multiple - Region 9	SCCWRP	Ensuring Biological Integrity of Nonperennial Streams	CNPS (2005-06 CGP, Prop 50)	\$400,000	\$100,000	\$500,000	tdb (encumbrance deadline = 6/30/08)	likely 3/2010	Pending	Busse	Ken Schiffl (714) 372-9202
40	400, 800, & 900	Multiple - Regions 4,8,9	SCCWRP	Development of Tools for Hydromodification Assessment and Management	CNPS (2005-06 CGP, Prop 50)	\$907,440	\$230,000	\$1,137,440	tdb (encumbrance deadline = 6/30/08)	likely 3/2010	Pending	Busse	Eric Stein (714) 372-9233
41	908, 909, & 910	Pueblo, Sweetwater, & Olaj	City of San Diego Storm Water Pollution Prevention Program	The San Diego Watersheds Common Grounds Project: San Diego Bay Watershed Demonstration	Prop. 13 CNPS	\$900,000	\$462,645	\$1,362,645	7/1/2004	3/31/2007	04-026-559-0	Woodward	Chris Zirkle (858) 292-6300
<b>TOTALS</b>						<b>\$41,025,950</b>	<b>\$22,768,841</b>	<b>\$63,815,291</b>					

## Estimated Solid Waste Loading by landfills located in San Diego watersheds

Inactive/Active MSW Landfills	Watershed	Solid Waste (in tons)	Waste Total (in tons) by Watershed	% Total Waste in Watershed
Encinitas LF	Carlsbad	581,450		
Linda Vista/Bradley Park LF	Carlsbad	400,000		
Maxson Street LF	Carlsbad	1,080,000		
Palomar Airport LF	Carlsbad	420,280		
San Marcos LF	Carlsbad	7,627,500	<b>10,109,230</b>	<b>4%</b>
Omar Rendering LF	Otay	222,300		
<b>Otay Annex LF</b>	Otay	<b>44,294,327</b>		
Otay Class I LF	Otay	38,000	<b>44,554,627</b>	<b>16%</b>
Mission Bay LF	Peñasquitos	9,500		
North Miramar LF	Peñasquitos	6,156,000		
Poway LF	Peñasquitos	16,500		
South Miramar LF	Peñasquitos	1,596,000		
<b>West Miramar</b>	Peñasquitos	<b>26,048,000</b>	<b>33,826,000</b>	<b>12%</b>
24th Street Marine Terminal (PACO)	Pueblo San Diego	54,351		
Arizona Street LF	Pueblo San Diego	1,938,000		
Convair Lagoon (TDY)	Pueblo San Diego	186,001		
MCRD/NTC LF	Pueblo San Diego	200,000		
South Chollas LF	Pueblo San Diego	750,000	<b>3,128,352</b>	<b>1%</b>
Gillespie LF	San Diego	500,000		
<b>Sycamore LF</b>	San Diego	<b>34,649,613</b>	<b>20,622,008</b>	<b>18%</b>
<b>Ramona LF</b>	San Dieguito	<b>1,181,379</b>	<b>1,100,000</b>	<b>0%</b>
Forster Canyon	San Juan	1,140,000		
<b>Las Pulgas LF</b>	San Juan	<b>6,408,000</b>		
<b>Prima Deshecha LF</b>	San Juan	<b>121,030,000</b>		
<b>San Onofre LF</b>	San Juan	<b>768,000</b>	<b>129,346,000</b>	<b>47%</b>
Bonsall LF	San Luis Rey	1,800,000		
Mission Avenue LF	San Luis Rey	353,400		
Valley Center LF	San Luis Rey	130,000	<b>2,283,400</b>	<b>1%</b>
Anza LF	Santa Margarita	163,400		
Rainbow Canyon LF	Santa Margarita	14,823	<b>178,223</b>	<b>0.1%</b>
Bell Junior High LF	Sweetwater	810,000		
Duck Pond LF	Sweetwater	16,340		
Hillsborough LF	Sweetwater	400,000		
Jamacha LF	Sweetwater	1,330,000		
Paradise Hills Park	Sweetwater	80,000		
Viejas LF	Sweetwater	50,000	<b>2,686,340</b>	<b>1%</b>
	<b>Total =</b>	<b>275,836,634</b>	<b>275,836,634</b>	<b>100%</b>

**Construction Storm Water**

<b>Notice of Violation and 13267 Investigative Order</b>		Date:	November 1, 2006,
Agency/Entity: Facility:	Sweetwater Union High School District School No. 13 at Corner of Magdalena Ave and Rock Mountain Road, Chula Vista		
Description:	Issued for inadequate Best Management Practices to reduce the threat of discharges of sediment into storm water conveyance system and onto public streets. A technical report requiring an Immediate Action Plan and updated Storm Water Pollution Prevention Plan was due to the Regional Board by December 1, 2006.		

<b>Notice of Violation and 13267 Investigative Order</b>		Date:	November 2, 2006,
Agency/Entity: Facility:	Asby USA LLC Roripaugh Ranch Residential Development, Murrieta		
Description:	Issued for inadequate best management practices to reduce the threat of discharges of sediment into storm water conveyance system. Technical report requiring an Immediate Action Plan and updated Storm Water Pollution Prevention Plan was due to the Regional Board by November 30, 2006.		

<b>Administrative Civil Liability Order</b>		Date:	November 8, 2006
Agency/Entity: Facility:	Poway Unified School District Garden Road Elementary School, Poway		
Description:	On November 14, 2006 the Regional Board adopted Administrative Civil Liability Order No. R9-2006-0127, imposing a \$32,800 liability against the school district for failing to file a Notice of Intent to comply with the Statewide Construction Storm Water permit and for failure to implement best management practices prior to commencing construction activities. The School District waived their right to a hearing and paid the liability in full. No further action required at this time.		



<b>Settlement Agreement</b>		Date:	November 8, 2006
Agency/Entity: Facility:	William Johnson/Vail Lake LLC Temecula, CA		
Description:	<p>A fully executed copy of the William Johnson/Vail Lake, LLC settlement agreement was filed with the San Diego County Superior Court on November 15, 2006. The agreement had four main components:</p> <ol style="list-style-type: none"> <li>1. Johnson dismisses the Superior Court case against the Regional Board (case no. GIC 815227);</li> <li>2. Regional Board rescinds the \$422,200 Administrative Civil Liability imposed against Johnson (Order No. R9-2002-0027) in 2002;</li> <li>3. Parties release each other from causes of action from July 7, 1999 to November 8, 2006; and</li> <li>4. Parties bear their own attorneys' fees.</li> </ol> <p>This ends all enforcement and litigation in this matter. No further action on this matter is expected.</p>		

<b>Notice of Violation and 13267 Investigative Order</b>		Date:	November 9, 2006,
Agency/Entity: Facility:	Lennar Homes of CA Hunter Ridge Tract 31878, Murrieta		
Description:	Issued for inadequate best management practices to reduce the threat of discharges of sediment into storm water conveyance system and violations of 401 water quality certification. A technical report requiring an updated Storm Water Pollution Prevention Plan and a Site Status Report was due to the Regional Board by November 30, 2006.		

<b>Notice of Violation</b>		Date:	November 14, 2006
Agency/Entity: Facility:	Town & Country/Atlas Hotel Mission Valley, San Diego		
Description:	Issued for continued non-compliance with Cleanup and Abatement Order no. R9-2005-0279 issued in November 2005.		

<b>Notice of Violation and 13267 Investigative Order</b>		Date:	November 21, 2006
Agency/Entity: Facility:	San Juan Hills High School 31655 La Pata Ave, San Juan Capistrano		
Description:	Issued for inadequate best management practices to reduce the threat of discharges of sediment into storm water conveyance system and failure to provide a Storm Water Pollution Prevention Plan. A technical report requiring an updated Storm Water Pollution Prevention Plan and a Site Status Report is due to the Regional Board by December 21, 2006.		

**Industrial Storm Water**

<b>Notice of Violation and 13267 Investigative Order</b>	Date	November 14, 2006
Agency/Entity: Facility:	AAA Foreign Auto Recycling 783 B Energy Way, Chula Vista	
Description:	Issued for failure to have an adequate Storm Water Pollution Prevention Plan and inadequate best management practices (BMPs) to control and reduce pollutants discharged to the storm water conveyance system. Technical report requiring a site specific Storm Water Pollution Prevention Plan and improved BMPs is due to the Regional Board by December 18, 2006.	

**Waste Discharge to Land (Non15 WDR)**

<b>Notice of Violation and 13267 Investigative Order</b>	Date	November 13, 2006
Agency/Entity: Facility:	County of San Diego San Pasqual Academy, Escondido	
Description:	Issued for 13 effluent violations (TDS (4), Chloride (7), BOD (1), and boron (1)) that were reported over a two year period from July 2004 through June 2006 and a reporting violation in June 2006. A Technical report, describing the steps taken to achieve compliance, is required to be submitted to the Regional Board by December 8, 2006.	

<b>Notice of Violation and 13267 Investigative Order</b>	Date	November 28, 2006
Agency/Entity: Facility:	US Navy Sewage Collection System, San Diego	
Description:	Issued for 5 sewage spills, reported by the Navy that occurred on September 4, 6, 13, and 25, and November 1, 2006 on North Island Naval Station. A technical report discussing steps taken to reduce and prevent future spills, and the Navy's current spill recovery procedures is due to the Regional Board by December 20, 2006.	

<b>Notice of Violation and 13267 Investigative Order</b>	Date	November 29, 2006
Agency/Entity: Facility:	US Navy Sewage Collection System, San Diego	
Description:	Issued for a sewage spills reported by the Navy, that occurred on November 17, 2006 on North Island Naval Station. A technical report discussing steps taken to reduce and prevent future spills, a plan for monitoring bacteriological and nutrients in Chollas creek, and a cleanup/mitigation plan to mitigate water quality impacts in Chollas creek during a two year period is due to the Regional Board by December 20, 2006.	

**NPDES Program**



<b>Notice of Violation</b>	<b>Date</b>	November 13, 2006
Agency/Entity: Facility:	City of San Diego Point Loma Ocean Outfall	
Description:	Issued for a 5,001-gallon spill of advanced primary treated wastewater at the treatment plant as reported by the City that occurred on August 11, 2006. No further action is required at this time.	

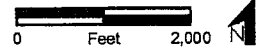
<b>Notice of Violation and 13267 Investigative Order</b>	<b>Date</b>	November 27, 2006
Agency/Entity: Facility:	Mountain Water Ice Company Oceanside Ice Plant , Oceanside	
Description:	Issued for failure to submit semi-annual monitoring reports to comply with NPDES permit requirements. The reporting violations are considered serious violations. In accordance with Water Code Section 13385(h)(1), each of the sixteen 30-day periods the reports were late are subject to \$3,000 mandatory minimum penalties (MMP), for a total of \$48,000. A technical report explaining the reasons for the failure to submit the reports is required to be submitted by December 29, 2006.	

<b>Notice of Violation</b>	<b>Date</b>	November 27, 2006
Agency/Entity: Facility:	US International Boundary and Water Commission South Bay International Wastewater Treatment Plant, San Diego	
Description:	Issued for violations in sample and sample storage methodology. Directed to take steps to achieve compliance with permit.	

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-  CVBMP boundary
-  Navigation channel



RECON

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FIGURE 3-3  
Proposed Project Districts