

San Diego
Regional Water Quality
Control Board



Executive Officer's
Report

April 13, 2007

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

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

SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

EXECUTIVE OFFICER'S REPORT

April 13, 2007

PART A

SAN DIEGO REGION STAFF ACTIVITIES *(Staff Contact)*

1. County of San Diego DPW Meeting *(John Odermatt)*

On March 22, 2007, the Regional Board staff met with Ms. Vicky Gallagher the newly appointed manager of the San Diego County Department of Public Works Landfill Management Unit (on-line at <http://www.co.san-diego.ca.us/dpw/management/inactvln.html>). The objective of the meeting was to initiate discussion on a range of management and compliance issues for the County's inactive and closed landfills. The Regional Board Land Discharge Unit staff attends quarterly meetings, with representatives of the County DPW, Local Enforcement Agencies (County and City of San Diego), and Air Pollution Control District, to discuss site-specific technical and compliance issues at County landfills.

2. Public Workshop and CEQA Scoping Meeting – Renewal and Issuance of Conditional Waivers of Waste Discharger Requirements *(Wayne Chiu)*

Wayne Chiu and Julie Chan of the Water Quality Standards (WQS) Unit conducted a public workshop and CEQA scoping meeting for the project to renew and issue the conditional waivers of waste discharge requirements. The project requires an update of the conditional waivers in the Basin Plan. The workshop was held on April 5 and attended by about a dozen members of the public. Johnny Gonzales of the State Water Resources Control Board was also present.

The purpose of the workshop was to introduce the project to the public as well as begin the CEQA process required for a Basin Plan amendment. As part of the CEQA scoping for the project, the WQS Unit presented and described several project alternatives, which included (1) No Action, (2) Renew "As Is," and (3) Revise the Waivers. The alternative recommended by the WQS Unit is (3) Revise the Waivers, because this alternative allows the San Diego Water Board to improve the effectiveness of the existing waivers and waiver conditions. This alternative will also allow the San Diego Water Board to regulate several additional types of discharge with conditional waivers.

The WQS Unit also provided a preliminary assessment of potential environmental impacts that might result from the recommended alternative. Attendees were given an opportunity to identify other potential alternatives to the project as well as potential adverse environmental impacts as part of the CEQA

scoping portion of the workshop. Members of the public were encouraged to submit any comments or suggestions to the WQS Unit.

The WQS Unit plans to release a draft technical report and Basin Plan amendment language for the proposed revised waivers for public comment by the end of June 2007. Our plan is to bring the proposed waivers before the San Diego Water Board for adoption in September 2007.

PART B

SIGNIFICANT REGIONAL WATER QUALITY ISSUES

1. Sanitary Sewer Overflows (SSO) – March 2007 *(Eric Becker, Charles Cheng, Joann Cofrancesco, Michelle Mata, Olufisayo Osibodu, Melissa Valdovinos) (Attachment B-1)*

From March 1 to March 31, 2007, there were 54 sanitary sewer overflows (SSOs) in the San Diego Region, including 12 spills of 1,000 gallons or more, reported on-line pursuant to the requirements of State Board Order No. 2006-003-DWQ (General Statewide Waste Discharge Requirements for Collection Agencies). Twenty eight of the 54 SSOs were releases from publicly-owned collection systems, 12 of which reached surface waters, drainage ditches, or storm drains. The combined total volume of reported sewage spilled from all publicly-owned collection systems for the month of March 2007 was 203,546 gallons.

There were also 26 sewage overflows from private property reported in March 2007. Seven of these spills reached surface waters, drainage ditches, or storm drains. None of the SSOs resulted in closure of recreational waters. The combined total volume of reported private property SSOs for the month of March 2007 was 8,542 gallons.

During March 2007, 0.09 inches of rainfall was recorded at San Diego's Lindbergh Field. For comparison, in February 2007, 1.12 inches of rainfall was recorded at Lindbergh Field, and 38 SSOs were reported. Also for comparison, in March 2006, 1.36 inches of rainfall was recorded at Lindbergh Field, and 24 SSOs were reported.

Attached is a table titled "Sanitary Sewer Overflow Statistics", updated through March 31, 2007, 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 sewage 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 sewage collection agencies. The data does represent a different way to review and analyze SSO volume data as it relates to system size.

Recent significant SSOs include:

- Beginning on or before March 31, 2007, the City of Vista and Carlsbad Municipal Water District discharged a reported 7.3 million gallons of sewage from a force main into the Buena Vista Lagoon. The spill was stopped on April 3, 2007, but cleanup and monitoring is on-going.
- On March 27, 2007, USMC Camp Pendleton reported that construction activities on an aircraft hanger in November 2006 resulted in the connection of a sewage pipe to a storm water drain. This cross-connection caused the discharge of up to 250,000 gallons of untreated sewage to the Santa Margarita River before its recent discovery.
- From April 5 to April 8, 2007, the Santa Margarita Water District spilled 392,000 gallons of sewage from a pipe failure at a pump station into the San Juan Creek. Cleanup and monitoring is on-going.
- On March 12, 2007, the City of San Diego discharged 41,600 gallons of sewage into Alvarado Creek and the San Diego River resulting in the closure of recreational waters.
- On March 25, 2007, the Fallbrook Public Utility District discharged 141,859 gallons of sewage into an unnamed dry creek and ponds inside the Los Jilgueros Preserve that resulted in the posting of the area.
- On April 2, 2007, the City of Vista discharged 203,000 gallons of sewage from a pump station failure into a tributary to Agua Hedionda Creek that resulted in the closure of Agua Hedionda Lagoon.

The Northern and Southern Core Regulatory Units will request additional information from these Dischargers on the nature, extent, and cleanup efforts for the sewage spills to determine the need for further enforcement.

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

2. Significant Enforcement Actions for March 2007 (Mark Alpert)

The following is a summary of all enforcement actions during the month of March 2007. During this period the Regional Board initiated 12 enforcement actions (7 Staff Enforcement Letters, 2 Notice of Violations, and 3 Investigative Orders).

A detailed listing of the most significant enforcement actions undertaken by the Regional Board during the period is attached. Information on sewage spills is provided in a separate discussion topic entitled "Sewage Spills").

AGENCY/ FACILITY NAME	CITY	PROGRAM¹	ACTION DATE
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Staff Enforcement Letter			
USMC Camp Pendleton, Plant 9	CAMP PENDLETON	WDR	3/22/2007
South Orange County Water Authority, Aliso Creek Ocean Outfall	DANA POINT	NPDES	3/22/2007
South Orange County Water Authority, San Juan Creek Ocean Outfall	SAN JUAN CAPISTRANO	WDR	3/22/2007
Fallbrook PUD, Plants 1 & 2	FALLBROOK	WDR	3/22/2007
Southern California Edison, San Onofre Nuclear Generating Station Unit 2	SAN CLEMENTE	NPDES	3/22/2007
Southern California Edison, San Onofre Nuclear Generating Station Unit 3	SAN CLEMENTE	NPDES	3/22/2007
USMC Camp Pendleton, Plant 10 & 11	CAMP PENDLETON	WDR	3/27/2007

Notice of Violation			
North County Transit District, Sprinter Rail Project	Oceanside	CONSTW	3/19/2007
San Diego Unified School District, Scripps Ranch Middle School	San Diego	CONSTW	3/20/2007

Investigative Orders (13267 letters)			
North County Transit District Sprinter Rail Project	Oceanside	CONSTW	3/19/2007

AGENCY/ FACILITY NAME	CITY	PROGRAM ¹	ACTION DATE
TDY Industries Convair Lagoon Sand Cap	San Diego	LNDISP	3/26/2007
Sun Cal, Pacific Point Project	San Juan Capistrano	CER	3/30/2007

Program Acronyms¹

CER	Water Act Section 401 Certification
CONST	Construction Storm Water
DoD	Department of Defense
INDSTW	Industrial Storm Water
LNDISP	Land Disposal
MNSTW	Municipal Storm Water
NPDES	National Discharge Elimination System
WDR	Waste Discharge Requirements
SSO	Sanitary Sewer Overflow
SLIC	Spills, Leaks, Investigations, and Cleanup
TANKS	Underground Storage Tank

3. San Diego County Municipal Storm Water Permit – Update on Appeals of the Permit to the State Water Resources Control Board *(Phil Hammer)*

The State Water Resources Control Board (SWRCB) received four petitions appealing the Regional Board's January 24, 2007 adoption of the San Diego County Municipal Storm Water Permit (Order No. R9-2007-0001). Three of these petitions have been dismissed by the SWRCB, while the remaining petition is currently being held in abeyance. A summary of the petitions is provided below.

County of San Diego and Cities within San Diego County

The County of San Diego and Cities within San Diego County filed a petition arguing that the permit included requirements that constituted unfunded state mandates because they exceeded federal requirements. The SWRCB has dismissed this petition.

Coalition for Clean Water and a Healthy Economy and Building Industry Association of San Diego (BIA)

The Coalition and BIA filed a petition for a wide range of issues, claiming that the Regional Board improperly shifted its responsibilities to the Copermitees, exceeded its legal authority, failed to provide for sufficient public participation opportunities during program development, and effectively created an unfunded state mandate. The SWRCB has dismissed this petition.

San Diego County Office of Education and North County Transit District

The San Diego County Office of Education and North County Transit District filed a petition arguing that the permit illegally requires the Copermitees to regulate urban runoff discharges from small municipal separate storm sewer systems. The SWRCB has dismissed this petition.

Natural Resources Defense Council, Inc. (NRDC)

NRDC filed a petition arguing that the Regional Board failed to act in accordance with the Federal Clean Water Act, failed to adequately consider and respond to public input, improperly shifted its responsibilities to the Copermitees, and failed to adequately require implementation of low-impact development strategies. As requested by the Petitioner, this petition is currently held in abeyance and will remain so unless the Petitioner requests that it be addressed by the SWRCB.

4. Basin Plan Amendment - Compliance Time Schedules (*Linda Pardy*)

The Office of Administrative Law (OAL) approved an amendment to the Basin Plan that authorizes compliance time schedules in National Pollutant Discharge Elimination System (NPDES) requirements. This amendment will provide the San Diego Water Board with the authority to incorporate compliance time schedules directly into NPDES requirements when dischargers need time to come into compliance with new or more stringent water quality based effluent limitations that result from new, revised, or newly interpreted water quality objectives, or new information on the characteristics and effects of the discharge.

This amendment, which addressed Triennial Review issue No. 6, was approved by the OAL on March 23, 2007. The State Water Board is now processing the amendment for submittal to the USEPA. After the State Water Board submittal, USEPA must notify the state within 60 days if the amendment is approved, or within 90 days if the amendment is disapproved. The disapproval must provide an explanation of why the amendment was disapproved and what changes are needed to make the action approvable.

5. U.S. Marine Corps: Las Pulgas Landfill (*Amy Grove and John Odermatt*)

The Regional Board staff is currently taking the following steps in response to the known composite liner deficiencies in the Phase 1 expansion Unit at the Las Pulgas Landfill:

- Amend the CAO to require the Discharger to submit a replacement Corrective Action Plan (CAP) for either corrective construction or clean closure of the Unit pursuant to Cleanup and Abatement Order R9-2006-0016 (available at: http://www.waterboards.ca.gov/sandiego/units/ldu/las_pulgas.html).
- Prepare revised waste discharge requirements (tentative Addendum 1 to Order 2000-54) for construction of composite liner systems beneath future waste management units at the Las Pulgas Landfill. The

Regional Board staff plans to schedule an item for the Regional Board to consider amending Order 2000-54 on May 9, 2007.

The Regional Board staff plans to meet with the Discharger to further discuss their plans to submit a revised CAP for the defective composite liner system beneath the Phase 1 expansion Unit.

6. Cleanup and Abatement Orders for Unauthorized Seawall Construction
(Christopher Means)

On August 23, 2006 and pursuant to California Water Code section 13304, the Executive Officer issued Cleanup and Abatement Orders (CAO's) No. R9-2006-0101 to Bill & Heidi Dickerson (501 First Street) and R9-2006-0102 to Larry and Penny Gunning (505 First Street) in Coronado for the unauthorized discharge of fill to San Diego Bay as a result of the construction of a seawall and concrete footing on the shoreline of San Diego Bay. The contractor responsible for the construction of the seawall on the two adjacent properties (Perry and Papenhausen Construction) was also named in both CAO's.

The two CAO's direct the residents and their contractor to remove all unauthorized structures (seawall and concrete footing) placed within waters of the State, return the San Diego Bay shoreline to conditions similar to those that existed prior to the project by stabilization of the shoreline at the site with riprap, and mitigate any impacts to offshore eelgrass beds.

In April 2006, the homeowners at 501 and 505 First Street in Coronado constructed a concrete block seawall approximately 5 feet high and 162 feet long, with a concrete footing that encroaches onto State tidelands for the full length of the wall. The owners of 501 First Street obtained approval and permits from the District, the Army Corps of Engineers (ACOE), and the Regional Water Quality Control Board (RWQCB) to repair and replace the existing degraded riprap along the shoreline but not for the placement of the seawall. The installation of the seawall and footing, however, was conducted in non-compliance with the applicable permits and certification. The owners of 505 First Street did not obtain any permits or approvals from any agency.

The removal of the riprap de-stabilized the shoreline, which causes and threatens to cause a condition of pollution by directly impacting the beneficial uses of San Diego Bay. Sensitive Eelgrass beds occur in shallow water directly adjacent to site and shoreline erosion of the unprotected sediments threatens to degrade these beds by reducing the water clarity necessary for the growth of eelgrass, and the redistribution of sediment from shoreline has apparently smothered and continues to degrade the eelgrass.

A Regional Board public hearing contesting the issuance of the two CAO's was requested by the dischargers and was originally scheduled for the October 11, 2006 meeting. Prior to that meeting the discharger's legal counsel requested a

continuance of the hearing to allow time to resolve outstanding issues, and the request was granted by the Executive Officer.

On February 16, 2007, the Port District, California Coastal Commission, Army Corps of Engineers, City of Coronado, the Regional Water Quality Control Board, State Water Resources Control Board Office of Enforcement, and a representative of the homeowners met to discuss the unauthorized seawall. The agencies agreed that the property owners should remove the existing seawall and concrete footing and then stabilize the shoreline with riprap to prevent the beach from eroding and to protect the adjacent eelgrass beds. To date, the residents have not complied with any of the CAO directives.

As a result of the February meeting, the Resource agencies requested that the homeowners submit emergency permit applications to stabilize the shoreline in front of the seawall and prevent its migration into the eelgrass beds. To date, the residents have not submitted emergency plans acceptable to the Port for the emergency riprap replacement

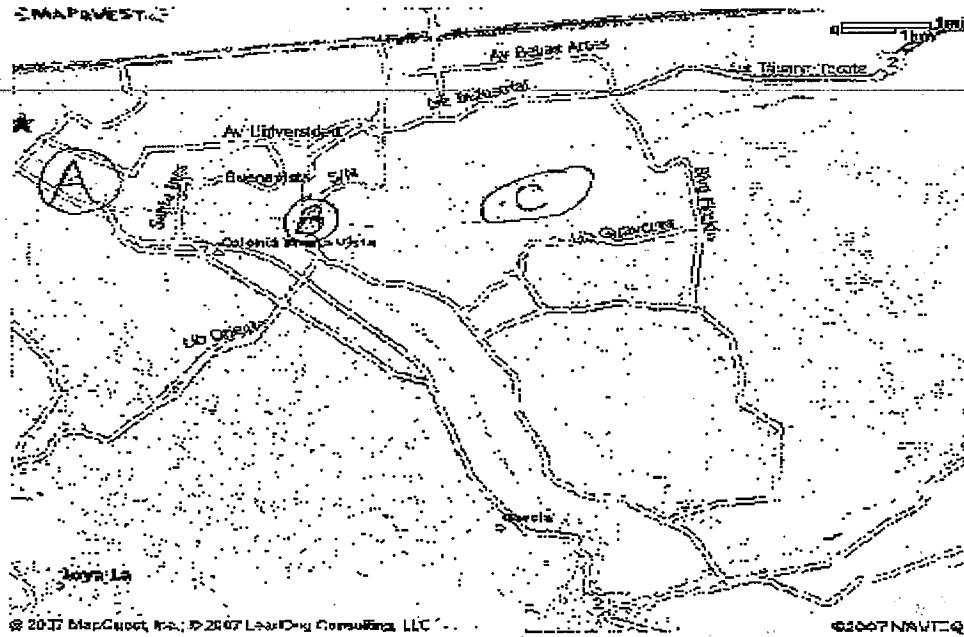
On April 10, 2007, Frank Melbourn and Christopher Means of the Watershed Branch attended the Port Commissioners Meeting in which the Port Commissioners heard a presentation on the unauthorized seawalls (see attached article). The Port Commissioners voted unanimously to require the residents to replace the riprap, to support other resource agencies enforcement actions, and directed their legal counsel to investigate possible legal action against the residents.

It is anticipated that a Regional Board hearing will be scheduled in the near future on the issuance of the CAO's.

7. March 13, 2007 Tour of Mexican Sewerage Facilities (Art Coe)

On March 13, 2007 U.S. International Boundary and Water Commission (IBWC) conducted a tour of planned sewerage projects in Tijuana, Mexico. The group departed IBWC San Ysidro offices at approximately 0930 in an IBWC vehicle. First stop was the San Antonio de Los Buenos treatment plant where Roberto Espinosa of Comision Internacional de Limites y Aguas (CILA) met the group and assumed the role of tour guide.

A brief stop was made at the main TJ pump station. Carlos Pena of IBWC pointed out that the Bajagua project would include a pump station on the U.S. side, approximately opposite the TJ pump station, to pump effluent from the IWTP to a secondary pump station near the confluence of the Tijuana and Rio Alamar rivers. The area covered in the first portion of the tour is shown on MAP 1.



MAP 1

Next stop was at a Tijuana River pedestrian overpass in the Zona Rio district of Tijuana (approximate location "A" on MAP 1). The first three photos show the Tijuana River flood control channel from the South side, looking upstream. The fourth photo is taken from the same location but from the North side, looking downstream.



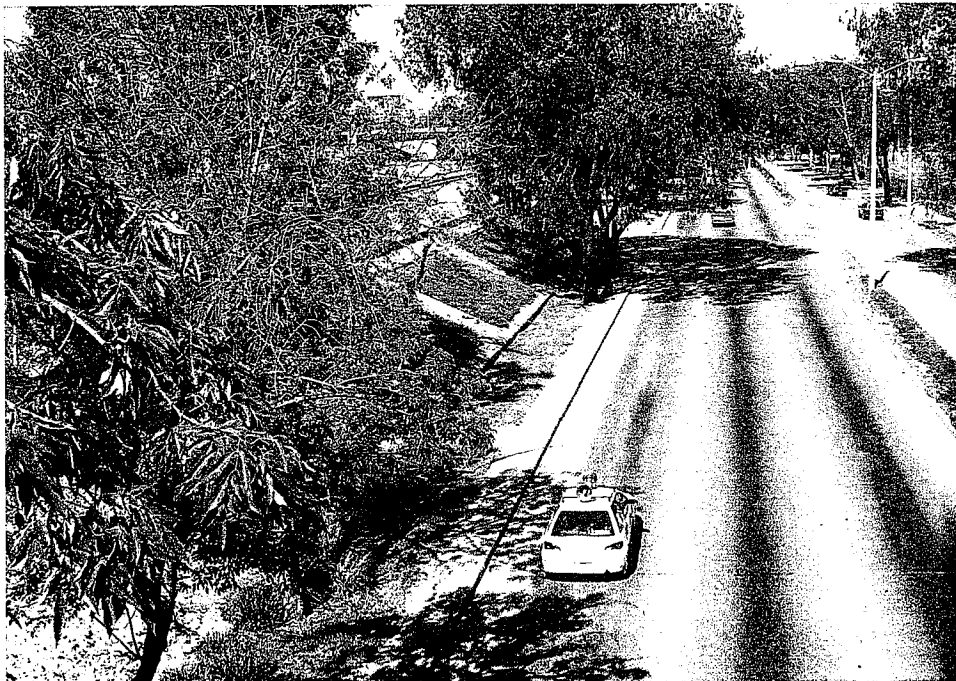
TIJUANA RIVER FLOOD CONTROL CHANNEL PHOTO 1



TIJUANA RIVER FLOOD CONTROL CHANNEL PHOTO 2



TIJUANA RIVER FLOOD CONTROL CHANNEL PHOTO 3



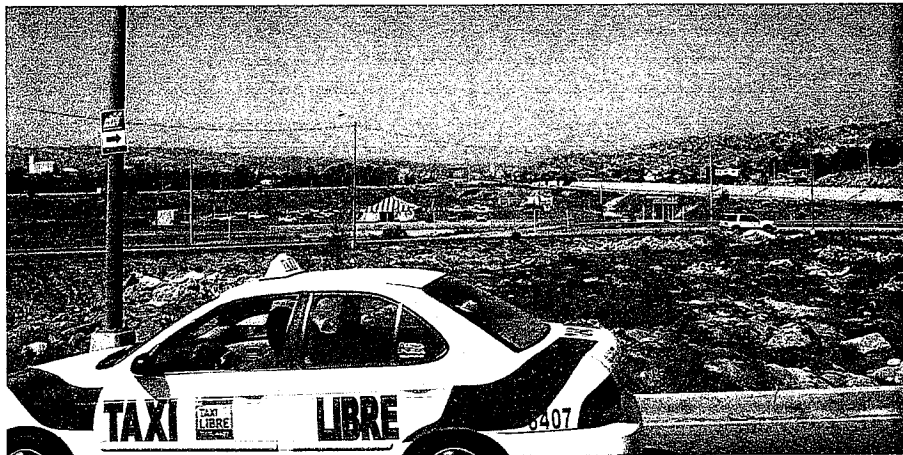
TIJUANA RIVER FLOOD CONTROL CHANNEL PHOTO 4

Question: Where will at least two sewer lines, each probably at least 60 inches in diameter (one to the Bajagua plant and one from the Bajagua plant) be located? The RFP indicates the transmission lines are to be constructed in the flood control channel berm. Reportedly the channel itself and the roads on top of either berm are out of bounds. The roadways on either side of the channel are

main arteries for Tijuana, so it is unlikely that the City of Tijuana will allow major lane blockages for either excavation or equipment staging. Answer: Apparently each prospective contractor will have to figure that out for themselves when they prepare their bid documents.

A quick stop was made at the proposed location for the second stage pump station at the confluence of the Tijuana and Rio Alamar rivers (approximate location "B" on MAP 1). The photo below shows this area. The Taxi Libre driver was not part of the tour. The actual location for the pump station will be approximately where the red-striped tent is located. It is currently the site of a used car sales operation.

This is the site that was proposed for Tijuana's "Rio Alomar" sewage treatment plant a number of years ago. That proposal was dropped partly because of U.S. opposition on the grounds that the effluent would probably be discharged to the Rio Alomar River.



PROPOSED SECOND STAGE PUMP STATION LOCATION

The next two photos were taken from a bluff on the South side of the Rio Alomar River Valley. The location is approximately 2 miles upstream from the Second Stage Pump Station location and is apparently the preferred Bajagua treatment plant site (approximate location "C" on MAP 1).



PROPOSED BAJAGUA TREATMENT PLANT SITE – PHOTO 1

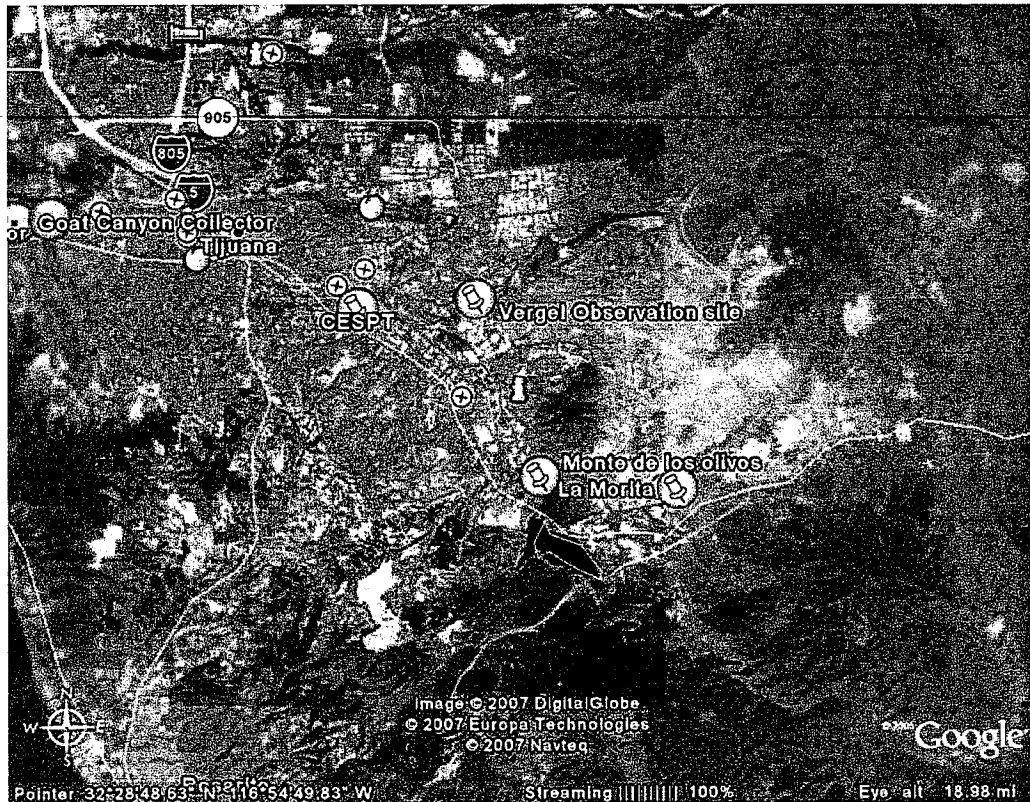


PROPOSED BAJAGUA TREATMENT PLANT SITE – PHOTO 2

Photo 1 to Photo 2 views from downstream to upstream (left to right viewing towards Tecate). The Rio Alomar River is in the line of trees that runs across the center of the photos. Apparently Bajagua will be required by the City of Tijuana to provide 500 year flood protection for the plant.

Towards the right side of Photo 2 is reportedly the property of Ana Lopez, a Mexican National who has filed lawsuits against everyone involved with Bajagua alleging that the plant will be on part of the 6500 acres her family owns in the area.

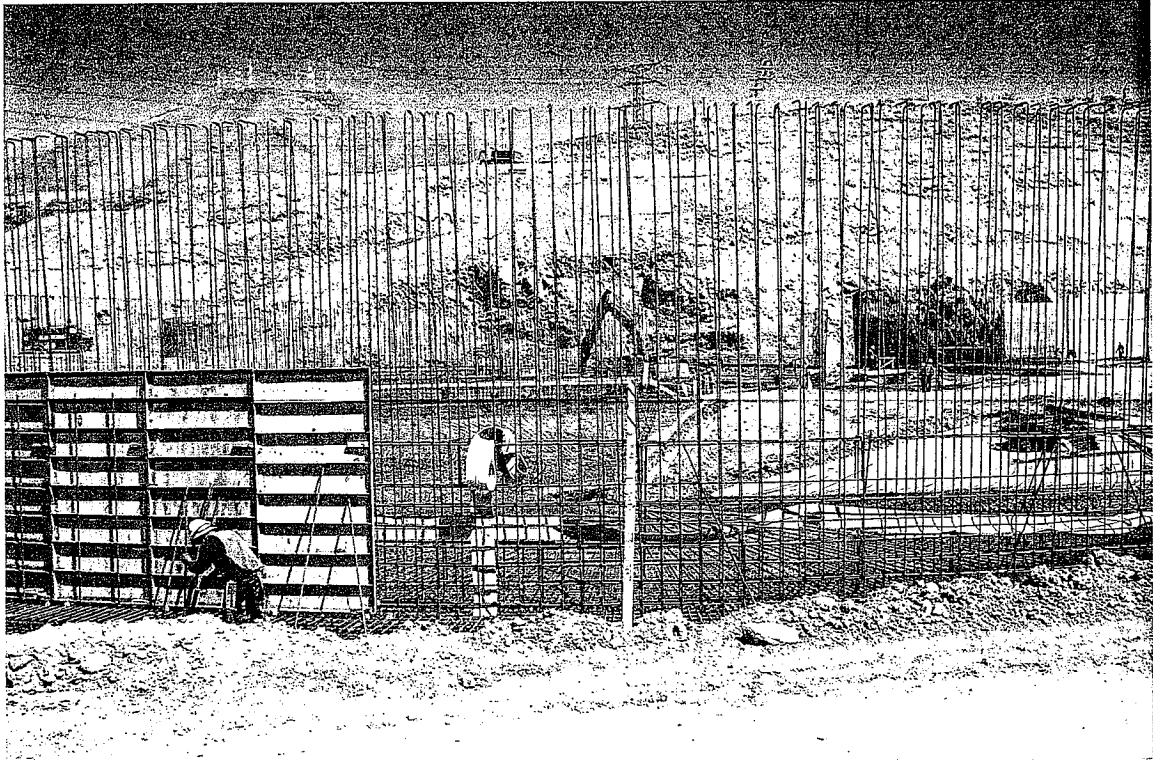
MAP 2 shows the sites covered in the final part of the tour.



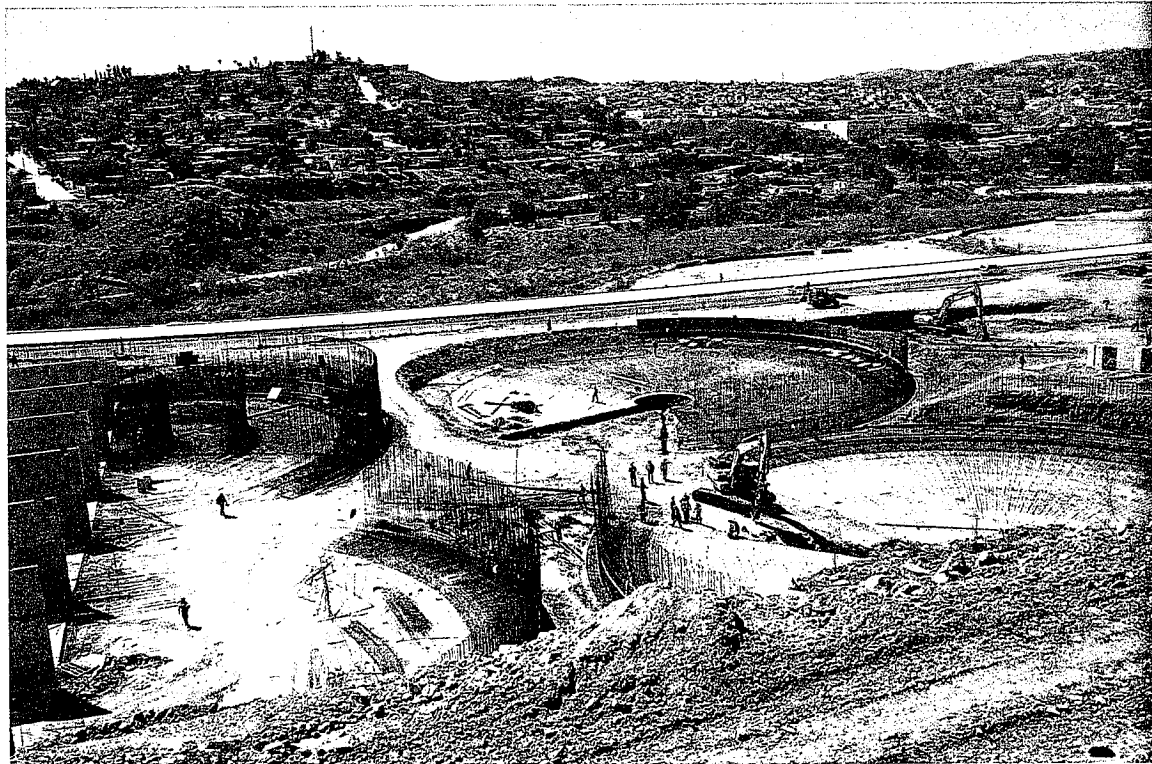
MAP 2

The final stops on the tour were at the sites of two Japanese funded sewage treatment plants: Monte de los Olivos and Las Morita (locations shown on MAP 2). Monte de los Olivos will be a 10-12 MGD secondary (activated sludge, racetrack) plant projected to be completed in 8 months. Las Morita will be approximately a 6 MGD secondary plant (activated sludge, racetrack) also projected to be completed in 8 months. Effluent disposal from the plants is uncertain, but possibly either to the TJ River or possibly Rodriguez Reservoir.

The Bajagua scheme for a total of 59 MGD of flow would apparently involve (as a necessity) these plants being shut down with the influent diverted to the Bajagua treatment plant.



MONTE DE LOS OLIVES PLANT – PHOTO 1



MONTE DE LOS OLIVES PLANT – PHOTO 2



LAS MORITA PLANT – PHOTO 1



LAS MORITA PLANT – PHOTO 2



LAS MORITAS PLANT – PHOTO 3

PART C
STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION

No items for Part C this month.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

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

April 13, 2007

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
April 13, 2007										
	APRIL 25, 2007 RB MEETING San Diego Regional Board Office									
	CHOLLAS CREEK HEAVY METALS TOTAL MAXIMUM DAILY LOAD SAN DIEGO COUNTY	TMDL	NA	NA	100%	80%	April 25, 2007	No	TMDL Workplan FY06-07; Possible adoption on 4/25/07	Tobler
	REGIONWIDE BACTERIA TOTAL MAXIMUM DAILY LOAD	TMDL	NA	NA	100%	80%	April 25, 2007	No	TMDL Workplan FY 2005-06	Arias
	OAK TREE RANCH INC. WASTEWATER AND DISPOSAL FACILITY SAN DIEGO COUNTY	WDRs Update	100%	90%	90%	80%	April 25, 2007	Yes		Mata
	MAY 9, 2007 RB MEETING San Diego Regional Board Office									
	WATERBOARD'S STRATEGIC PLAN UPDATE WORKSHOP	Workshop	NA	NA	NA	NA	May 9, 2007	No		Robertus
	CITY OF SAN MARCOS BRADLEY PARK/OLD LINDA VISTA LANDFILL SAN DIEGO COUNTY	Hearing: Investigative Order	NA	100%	100%	0%	May 9, 2007	No		Grove
	LAKE CUYAMAC REC. AND PARK DISTRICT SUBSURFACE DISPOSAL FACILITY	WDR Rescission	NA	100%	100%	0%	May 9, 2007	No		Robertus
	INTERNATIONAL BOUNDARY AND WATER COMM. SECONDARY TREATMENT PROJECT	Status Report	NA	NA	0%	0%	May 9, 2007	No		Robertus
	SO ORANGE CO. WASTEWATER AUTHORITY SAN JUAN CREEK OCEAN OUTFALL	Approval of Settlement	NA	NA	100%	10%	May 9, 2007	Yes	Mandatory Minimum Penalty \$36,000	Alpert
	OTAY WATER DISTRICT - RALPH W. CHAPMAN RECLAMATION FACILITY SAN DIEGO COUNTY	WDR Update Master Rec. Permit	NA	100%	100%	10%	May 9, 2007	Yes		Valdivinos
	US MARINE CORPS CAMP PENDLETON LAS PULGAS LANDFILL	WDR Update	NA	50%	100%	10%	May 9, 2007	Yes		Grove
	JUNE 13, 2007 RB MEETING San Diego Regional Board Office									
	CHOLLAS CREEK HEAVY METALS TOTAL MAXIMUM DAILY LOAD SAN DIEGO COUNTY	Adoption TMDL	NA	NA	100%	0%	June 13, 2007	No	TMDL Workplan FY 2006-07	Tobler
	REGIONWIDE BACTERIA TOTAL MAXIMUM DAILY LOAD	Adoption TMDL	NA	NA	100%	0%	June 13, 2007	No	TMDL Workplan FY 2005-06	Arias
	GROUNDWATER EXTRACTION GENERAL PERMIT FOR SAN DIEGO BAY	NPDES Permit Reissuance	NA	100%	80%	0%	June 13, 2007	No	NPDES Workplan FY 2004-05	Alpert
	GROUNDWATER EXTRACTION GENERAL PERMIT FOR REGION OTHER THAN SD BAY	NPDES Permit Reissuance	NA	100%	50%	0%	June 13, 2007	No	NPDES Workplan FY 2004-05	Alpert
	HUBBS RESEARCH AGUA HEDIONDA LAGOON SAN DIEGO COUNTY	NPDES Permit Reissuance	100%	100%	100%	0%	June 13, 2007	No	NPDES WORKPLAN FY 2006-07	Becker

SIGNIFICANT NPDES PERMITS, WDRS, AND RB ACTIONS

DATE OF REPORT	NAME OF PERMIT/WDR/RB ACTION	Action Type	Initial Application Complete	Dish./RWQ Limits and Monitoring Plan Known	Draft Complete	Public Rev. & Comment	BOARD HEARING & ADOPTION	Consent Item	COMMENTS	Staff
April 13, 2007	SAN DIEGO COUNTY WATER AUTHORITY SAN VICENTE PIPELINE PROJECT	Hearing;Mandatory Minimum Penalty	NA	100%	100%	0%	June 13, 2007	No	Mandatory Minimum Penalty \$120,000	Stewart
	TERRA VAC REMEDIATION DEWATERING PROJECT AT 2945 PACIFIC HWY SAN DIEGO	Hearing;Mandatory Minimum Penalty	NA	100%	100%	0%	June 13, 2007	No	Mandatory Minimum Penalty \$27,000	Alpert
	SOUTH ORANGE COUNTY WASTEWATER SAN JUAN CREEK OCEAN OUTFALL	Approval of Settlement	NA	100%	100%	0%	June 13, 2007	No	Mandatory Minimum Penalty \$36,000	Stewart
	FRANK J. KONYN DAIRY SAN PASQUAL VALLEY SAN DIEGO COUNTY	NPDES Permit Reissuance	80%	90%	0%	0%	June 13, 2007	Yes	NPDES Workplan FY 2005-06	Valdovinos
	T.D. DAIRY (VAN TOL DAIRY) RAMONA SAN DIEGO COUNTY	NPDES Permit	0%	90%	0%	0%	June 13, 2007	Yes	NPDES Workplan FY 2005-06	Valdovinos
	AUGUST 8, 2007 RB MEETING San Diego Regional Board Office									
	ORANGE COUNTY MUNICIPAL STORMWATER PERMIT	Adoption: NPDES Permit Reissuance	100%	80%	80%	0%	August 8, 2007	No	NPDES WORKPLAN FY 2006-07	Smith
	HYDROSTATIC TEST WATER/POTABLE WATER DISCHARGES GENERAL PERMIT	NPDES Permit Reissuance	NA	90%	0%	0%	August 8, 2007	No	NPDES Workplan 2007-08	Morris
	S & S FARMS LIVESTOCK RAISING FACILITY RAMONA SAN DIEGO COUNTY	NPDES Permit Reissuance	0%	90%	0%	0%	August 8, 2007	No	NPDES Workplan 2007-08	Kelley
	DAKOTA RANCH DEVELOPMENT CO. 401 W.Q. CERTIFICATION SAN DIEGO COUNTY	Hearing: Admin. Civil liability	100%	NA	100%	0%	August 8, 2007	No	ACL COMPLAINT \$140,500	Meibourn
	SEPTEMBER 12, 2007 RB MEETING San Diego Regional Board Office									
	UPDATE OF POLICY ON WAIVERS OF WASTE DISCHARGE REQUIREMENTS	Hearing: Basin Plan	NA	NA	30%	0%	September 12, 2007	No		Chiu
	OCTOBER 10, 2007 RB MEETING Rancho California Water District, Temecula									
	OCEAN DISCHARGER RECEIVING WATER MONITORING PROGRAM UPDATES	NPDES Permits Revisions	NA	0%	0%	0%	October 10, 2007	No		Kelley
	NOVEMBER 14, 2007 RB MEETING San Diego Regional Board Office									
	CONTINENTAL MARITIME OF SAN DIEGO SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	0%	0%	0%	0%	November 14, 2007	No	NPDES Workplan 2007-08	Kelley
	BAE SYSTEMS SAN DIEGO SHIP REPAIR SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	0%	0%	0%	0%	November 14, 2007	No	NPDES Workplan 2007-08	Kelley

SANITARY SEWER OVERFLOW STATISTICS (Updated through March 31, 2007)

SEWAGE COLLECTION AGENCY	SYSTEM SIZE ^B		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 ^A		NO. OF PRIVATE SPILLS ^E 06-07	VOLUME OF PRIVATE SPILLS GAL
	Miles	MGD	02-03	03-04	04-05 ^A	05-06 ^A	06-07 ^A	02-03	03-04	04-05 ^A	05-06 ^A	06-07 ^A	GAL	GAL/MG ^C		
ORANGE COUNTY:																
EL TORO WD	55	2.2	1	3	3	2	1	1.8	5.5	5.5	3.7	1.8	0	0	1	8
EMERALD BAY SERVICE DISTRICT	6	0.1	0	0	1	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
LAGUNA BEACH, CITY OF	95	2.4	27	8	11	5	4	28.4	8.4	12.6	5.3	4.2	3,020	5	10	363
MOULTON NIGUEL WD	530	13.0	1	2	5	1	1	0.2	0.4	0.9	0.2	0.2	600	0	2	800
SAN CLEMENTE, CITY OF	179	4.5	7	2	5	2	7	3.9	1.1	2.8	1.1	3.9	6,610	5	7	1,851
SAN JUAN CAPISTRANO, CITY OF	100	3.4	0	1	2	0	1	0.0	1.0	2.0	0.0	1.0	5,300	6	0	0
SANTA MARGARITA WD	546	10.7	4	5	6	4	2	0.7	0.9	1.1	0.7	0.4	0	0	3	1,060
SOUTH COAST CWD	132	4.0	8	7	4	3	2	6.1	5.3	3.0	2.3	1.5	1,150	1	5	255
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
RIVERSIDE COUNTY:																
EASTERN MWD	421	9.5	3	7	0	0	4	0.7	1.7	0.0	0.0	1.0	1,071,800	412	1	500
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
SAN DIEGO COUNTY:																
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	13	2.8	2.8	4.7	4.7	6.1	3,337	2	7	1,117
CHULA VISTA, CITY OF	400	16.0	3	1	7	4	2	0.8	0.3	1.3	1.0	0.5	300	0	7	677
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	4,100	2	4	24
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	7	0.9	0.6	1.1	1.1	2.0	5,660	2	6	1,190
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	2	30.6	12.5	13.9	11.1	2.8	142,499	260	5	625
IMPERIAL BEACH, CITY OF	84	2.2	14	2	8	2	3	16.7	2.4	9.5	2.4	3.6	907	2	1	180
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
LEUCADIA CWD	185	4.2	6	1	6	3	0	3.2	0.5	2.7	1.6	0.0	0	0	2	119
NATIONAL CITY, CITY OF	97	5.1	1	2	1	4	1	1.0	2.1	1.0	4.1	1.0	6,750	5	0	0
OCEANSIDE, CITY OF, WTR UTIL DEP	446	13.0	23	22	13	7	4	5.2	4.9	3.1	1.6	0.9	29,370	8	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	1	3.5	1.2	0.0	0.0	1.2	100	0	0	0
PADRE DAM MWD	150	5.1	3	3	1	1	1	2.0	2.0	0.7	0.7	0.7	6,000	4	0	0
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	1	2.9	1.8	0.0	2.9	0.6	100	0	0	0

SANITARY SEWER OVERFLOW STATISTICS (Updated through March 31, 2007)

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	Miles	MGD	02-03	03-04	04-05 ^A	05-06 ^A	06-07 ^A	02-03	03-04	04-05 ^A	05-06 ^A	06-07 ^A			GAL	GAL/MG ^C
SAN DIEGO COUNTY (continued):																
RAINBOW MWD	54	0.7	2	6	2	0	1	3.7	11.1	3.7	0.0	1.8	3,000	15	1	761
RAMONA MWD	83	1.3	2	2	4	4	1	2.4	2.4	3.6	4.8	1.2	100	0	2	2,050
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	1	2.9	0.5	0.5	0.8	0.3	5,800	2	0	0
SAN DIEGO, CITY OF, MWWD	2,894	170.1	193	115	122	82	62	6.7	4.0	3.3	2.8	2.1	110,661	2	93	19,564
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	2,000
USMC BASE, CAMP PENDLETON	194	3.1	23	14	12	16	12	11.9	7.2	5.2	8.3	6.2	97,485	117	2	600
US NAVY	123	4.0	12	11	13	11	11	9.8	9.0	10.6	9.0	9.0	14,228,230	12,982	1	50
VALLECITOS WD	202	6.1	5	4	6	7	1	2.5	2.0	2.5	3.5	0.5	37	0	0	0
VALLEY CENTER MWD	48	0.3	3	1	1	0	1	6.3	2.1	2.1	0.0	2.1	250	3	0	0
VISTA, CITY OF	198	6.5	4	7	9	5	3	2.0	3.5	4.6	2.5	1.5	10,925	6	1	81
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	9,615	363	427	275	266	201	156						15,744,691		163	34,575
AVERAGE ¹			4.4	2.9	2.8	2.1	1.6						294			
STANDARD DEVIATION ²			7.0	3.4	4.4	2.6	1.9						1,892			
MEDIAN ³			2.4	2.0	2.5	1.0	0.8						0			

^A Includes available preliminary data. May not include all spills less than 1,000 gallons that did not enter surface waters or storm drains during the period of July 1, 2004 through December 31, 2006. As of January 1, 2007 data reflects reports submitted on-line as required by State Board Order No. 2006-003-DWQ (General Statewide Waste Discharge Requirements for Collection Agencies).

^B As of June 2003.

^C Total spill volume (in gallons) divided by the volume of wastewater conveyed (in million gallons) from July 1, 2006 through February 28, 2007.

^D Included with Eastern Municipal Water District

^E Private spills are listed to indicate their locations. Public sewer agencies are not responsible for private property spills and have not been required by Order No. 96-04 to report private property spills.

¹ The average is the sum of all values divided by the number of values.

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

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

Agency/Entity: Facility:	North County Transit District, Sprinter Rail Project, Oceanside to Escondido	3/19/2007
Program:	Construction Storm water	
Enforcement Action:	Notice of Violation and Investigative Order	
Description:	Issued for multiple violations of the construction stormwater permit along the new Sprinter line within the City of Vista and unincorporated portions of San Diego County. Violations noted include; Failure to prevent non-stormwater discharges to the stormwater conveyance system at several locations along the project and failure to implement best management practices to reduce erosion and sediment loss. A technical report was required by April 6, 2007 indicating the steps taken to correct the violations.	

Agency/Entity: Facility:	San Diego Unified School District, Scripps Ranch Middle School, San Diego	3/20/2007
Program:	Construction Storm water	
Enforcement Action:	Notice of Violation	
Description:	Issued for multiple violations of the construction stormwater permit at the new school construction site. Violations noted include; Failure to pay annual stormwater permit fees; failure to prevent non-stormwater sediment laden discharges to the stormwater conveyance system; and failure to implement best management practices to reduce erosion and sediment loss. The Regional Board issued a cleanup and abatement order in 2005 for similar violations by the School District at this construction site (R9-2005-0116).	

Agency/Entity: Facility:	TDY Industries, Convair Lagoon Sand Cap, San Diego	3/26/2007
Program:	Land Disposal Program	
Enforcement Action:	Investigative Order	
Description:	Issued to investigate and monitor the effects of PCBs discovered deposited on top of the Convair Lagoon Sand Cap and the stormwater conveyance system from the former Teledyne Ryan Facility. The Order requires the submittal of a workplan by April 30, 2007.	

Agency/Entity: Facility:	Sun Cal, Pacific Point Project, San Juan Capistrano	3/30/2007
Program:	Water Quality Certification	
Enforcement Action:	Investigative Order	
Description:	Issued to investigate whether there were discharges of fill material to waters of the US or State, which would have required water quality certification from the Regional Board, during development of the construction project. A technical report is required to be submitted by May 4, 2007.	

More Metro news

Sea wall built without permits

Port to take action against owners

By Janine Zúñiga
UNION-TRIBUNE STAFF WRITER

April 11, 2007

Two bayfront property owners whose lots overlook downtown San Diego created a makeshift mini-beach last year in front of their homes.

They removed shoreline-protecting rocks at the water's edge and built a concrete-block sea wall. The shore was accessible by an opening in the middle of the wall, which stands 5 feet and runs 162 feet along the bay.

Problem is, neither was authorized to build the wall or allow the shore to be exposed, and only one received permits to repair and replace the protective rocks, known as riprap.

Now both are answering to local, state and federal agencies – the Port of San Diego, the state Coastal Commission, the Regional Water Quality Control Board, the U.S. Army Corps of Engineers – about the sea wall, a portion of which encroaches on state land, and the damage to sensitive eelgrass beds.

The port, which administers the state's tidelands, heard the matter at a meeting yesterday. After some discussion, commissioners, many unsettled by the owners' refusal to immediately replace the rocks, directed staff members to take “aggressive action.”

Commissioners voted unanimously to require the owners to immediately place rocks back on the shore, to support the other agencies' enforcement efforts and to direct the port's attorney to pursue possible legal action over any damage caused by the sea wall.

The fate of the wall is still up in the air.

“We can't accommodate giving away any tidelands to private property owners,” said Commissioner Robert “Rocky” Spane, who represents Coronado. “The port tidelands belongs to the people. We've worked hard to bring environmental concerns to the forefront. The riprap needs to be put back.”

The agencies and property owners agree that the sea wall was built without permits and that, while most of it sits on private property, about one foot of its base, or footing, is on state land.

Richard Opper, an attorney for the owners, said a biologist has determined the eelgrass was not damaged beyond repair. He also said the owners simply need to know how much riprap is needed to replace the rocks.

Bill and Heidi Dickerson of Las Vegas own 501 First St. and Larry and Penelope Gunning of Scottsdale, Ariz., own 505 First St. Requests for comment were referred to their attorneys. Two years ago, the Dickersons received approval from the port, the corps and the water board to repair and replace degrading riprap.

By April 2006, the sea wall was built in front of both properties. The Gunnings had no permits. The corps

discovered the wall two months later and told the owners they had violated the Clean Water Act. The water board ordered the owners to remove the wall by Oct. 23, 2006, and stabilize the shoreline with new rocks.

Meanwhile, the port revoked its approval of the project. The water board and corps soon followed, leaving the property owners with no approvals for any of the work.

A meeting was held two months ago among the port, the Coastal Commission, the corps, the city of Coronado, the water board, the state Water Resources Control Board's office of enforcement, and a representative for the owners.

"The agencies agreed that the sea wall should come down," said David Merk, the port's director of environmental services. "However, the homeowners were not interested in removing it."

Merk said any time riprap or sea walls are replaced, sand moves and destabilizes the shoreline. The destabilization can then harm eelgrass beds. He said the owners were asked to submit emergency permit applications to return the rocks. He said the plans, submitted last month, had "far less rock than what would be necessary to line up with adjacent properties."

Commissioner Mike Bixler agreed the owners built without permits but asked the board to keep things in perspective.

"Isn't the riprap going to cover that footing anyway?" said Bixler, noting that any rocks placed on the shore likely will cover the portion of sea wall that's on state land.

Others, however, expressed frustration. Commissioner Victor Vilaplana asked whether the port can sanction the owners. The port's attorney said the agency has no enforcement arm and its only remedy is in civil court.

Frank Melbourn, an investigator with the regional water board, said the owners know they need to put the rocks back but want to keep the sea wall.

"We are troubled this is not moving forward at a more rapid pace," Melbourn said. "We are prepared to take further actions."

Those actions could include a hearing, at which damages could be assessed and findings made that would require the owners to make up for any damage to the environment, Melbourn said. The Coastal Commission also may make findings and enforce them.

Jan Driscoll, another attorney for the owners, said they are preparing construction drawings that match the neighboring riprap.

"It's just a question of how much riprap is needed and where does it have to begin and end," Driscoll said. "We're hopeful that we'll reach a resolution."

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