

San Diego  
Regional Water Quality  
Control Board



Executive Officer's  
Report

May 14, 2008

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# SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

## EXECUTIVE OFFICER'S REPORT

May 14, 2008

### **PART A**

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

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

On March 25, 2008, Lilian Busse attended the Regional Monitoring Workgroup Meeting. This workgroup is comprised of representatives of the 21 Copermitees to the San Diego Storm Water Permit. At the meeting, the Copermitees discussed the following topics: update of the Dry Weather Workgroup, review of priorities of the Regional Monitoring Workgroup, and an update on the participation of the copermitees in the Bight '08 program.

On Tuesday, April 8, 2008, Ben Neill, Peter Peuron, Christopher Means, Laurie Walsh, Dat Quach, and Kristin Schwall attended a Best Management Practices (BMP) presentation at the County of San Diego offices. These presentations are hosted by the County approximately every month to inform regulators about new storm water BMPs. The presentation described a linear storm water filtration device using subsurface flow through wetlands plants. The filtration unit is prebuilt to design storm criteria and can be designed for retrofitting existing development.

On Thursday, April 24, 2008, Ben Neill, of the Northern Watershed Unit, attended the Riverside Municipal Copermitees monthly meeting at the Riverside County Flood Control Office in Riverside, CA. The meeting was a joint meeting attended by Copermitees from both the San Diego Region (Santa Margarita watershed) and the Santa Ana Region. The Copermitees discussed the Little Hoover Commission's hearings on California's Water Boards system. The Copermitees seek a review of Basin Plan Water Quality Objectives. They would like to see more Special Area Management Plans used for Clean Water Act §401 Water Quality Certifications. They oppose a statewide municipal storm water permit; instead, they would prefer a statewide framework or policy allowing for unique requirements in individual regions. Following the meeting, a private meeting with only the Santa Margarita watershed Copermitees discussed the results of the recent audits of their programs and the pending enforcement actions resulting from the audit.

Also on April 24, Chad Loflen attended the monthly Orange County Coastal Coalition meeting in Newport Beach, CA. Representatives from the County of Orange, Regional Water Quality Control Boards, Orange County municipalities, conservation groups and members of the public were in attendance. The focus

of this meeting was on Low Impact Development (LID), in addition to regular updates and coordination on other topics pertinent to the Coastal Coalition. Two presentations on LID were given. The first was presented by Matt Yeager from San Bernardino County Flood Control District and was entitled "*Low Impact Development and Municipal Stormwater Permits in Southern California: What, Where, Why, and How*". This talk focused on current LID requirements in existing Municipal Separate Storm Sewer System (MS4) permits, as well as potential requirements in upcoming draft MS4 permits. The second presentation was given by Ray Hiemstra from Coastkeeper and was entitled "*Low Impact Development: You Can Do It Anywhere*". This talk focused on the feasibility of LID and highlighted some LID research Coastkeeper is conducting in Orange County, including retrofitting existing residential homes and assessing the impact of the retrofits. The next Orange County Coastal Coalition meeting will be on May 22, 2008.

2. Take Our Kids To Work Day at the Regional Board (*Carol Tamaki & Michelle Mata*)

On Thursday April 17, 2008 the Regional Board staff and their children participated in the annual "*Take our Kids to Work Day*." Each year the Regional Board hosts a variety of educational activities aimed to teach our children the importance of protecting the environment. This year's theme was "***Exploring the Beneficial Uses of our Ocean***." Twelve children, ranging in ages from 4 – 13, participated in this year's event. We visited the Scripps Institute of Oceanography for a special tour of the facility.

The children who attended the program participated in the following activities:

- Tour of the incoming water system for Scripps;
- Research overview and tour of select aquaria at Hubbs of the Scripps Institute;
- Tour and overview of the Birch Aquarium at Scripps;
- A groundwater activity which demonstrated the fate and transport of groundwater contaminants;
- One on one session with parent for an overview of parent's roles and responsibilities at the Regional Board; and
- A tour of the Regional Board's office facility.

3. 2008 California Nonpoint Source Conference (*Jody Ebsen*)

On May 5-7, 2008, the Fourth Biennial California Nonpoint Source Pollution Conference was held in San Diego, CA. Regional Board staff including John Robertus, Christina Arias, Lilian Busse, Charles Cheng, Wayne Chiu, Elizabeth Dorantes, Jody Ebsen, Cynthia Gorham-Test, and Dave Gibson attended the conference.

The event was hosted by the California State Water Resources Control Board, California Regional Water Quality Control Boards, California Coastal Commission, and U.S. Environmental Protection Agency, Region 9. The

conference agenda included opening presentations from San Diego Regional Water Board Chair Dr. Richard Wright, State Water Board Chair Tam Doduc, California Coastal Commission Chair Patrick Krueger and U.S. EPA Region 9 Water Division Director Alexis Strauss. The sessions focused on the effects of the wildfires in California, integrated watershed management, low impact development, the implementation of TMDLs, monitoring, and pollutants from atmospheric deposition. Over 240 representatives of state, local and federal agencies and non governmental organizations from throughout the state attended the conference, which is held every two years. Representatives from the NPS programs in Hawai'i and Arizona also attended the conference.

The **After the Fires: Monitoring Ecological Impacts and Watershed Reponses** session included a presentation by Cynthia Gorham-Test entitled, "Effects of Wildfires in San Diego County on Water Quality and Benthic Macroinvertebrate Assemblages." The subject of Ms. Gorham-Test's presentation was an evaluation of results from water chemistry and benthic samples collected in areas affected by the 2003 and 2007 wildfires in San Diego County.

The **Monitoring Makes a Difference** session included a presentation by Lilian Busse entitled "Biological integrity of Stream in San Diego County since 1998." Ms. Busse's presentation provided the audience with an evaluation bioassessment samples collected since 1998 using a benthic macroinvertebrate index of biotic integrity (IBI) developed for Southern Coastal California streams. The IBI indicates the 75% of all the samples were in "Poor" or "Very Poor" conditions, with only 25% in "Fair" or "Good" conditions.

Two field trips and a Hydromodification Workshop were organized for the conference. The "After the Fires" field trip included tours of the Best Management practices deployed around the City of Poway's Lake Poway municipal drinking water supply reservoir (Attachment 1) and a tour of the Wild Animal Park, which was significantly impacted by the 2007 fires. At the Wild Animal Park, presentations were provided on the fires, runoff issues, and water quality improvement projects at the Wild Animal Park by Tony Heinrichs, Assistant Director of the City of San Diego General Services Department, Rob Hutsel, Executive Director of the San Diego River Park Foundation, Bob McClure, Director of the Wild Animal Park, and Joe Arlotto, Robyn Badger, and Andrew Schucker of the Wild Animal Park, and Dave Gibson of the Regional Board. Over 50 conference attendees participated in the field trip.

The "Extreme Watershed Tour" of the San Diego River watershed was hosted by the San Diego Integrated Regional Water Management Plan Group. Including representatives from the San Diego County Water Authority (Mark Stadler), the County of San Diego (Sheri McPherson), the City of San Diego (Jeff Pasek), Padre Dam Municipal Water District (Neal Brown), the Lakeside River Park Conservancy (Robin Rierdan), and the Regional Board (Mike Porter), the tour

included sites visits to the Padre Dam Santee Lakes facility, Forester Creek, the Woodside Avenue water quality basin, the Lakeside River Park Conservancy, and El Monte Valley. Over 25 conference attendees participated in the field trip.

#### 4. Municipal Separate Storm Sewer System Permit Consistency (*James Smith*)

Meetings have been held with other Regional Boards, the State Water Resources Control Board and the USEPA to address concerns raised at the Feb. 2008 Board Meeting about consistency among Municipal Separate Storm Sewer System (MS4) permits in Southern California. John Robertus, Mike McCann, David Barker, James Smith, Ben Neill and Chad Loflen met three times (March 17 and April 16 & 21) with their storm water counterparts from Regions 4, 7 and 8 to discuss the status of MS4 Permits in Los Angeles, Orange, Riverside, San Diego and Ventura Counties. The goal was to compare the draft MS4 Permit for Southern Orange County with adopted and draft permits in the other regions. Topics discussed included Municipal Action Levels, incorporation of Total Maximum Daily Loads (TMDLs), flow control requirements involving hydromodification metrics and Low Impact Development (LID) / Green Infrastructure, designation of design storm criteria and monitoring. The terms LID and Green Infrastructure are used interchangeably and are defined, by USEPA, as "*management approaches and technologies that utilize, enhance and/or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse.*" Non-storm water numeric effluent limits were also briefly discussed at the meetings.

The third meeting was attended by Ms. Alexis Strauss and other storm water staff of USEPA Region 9 and by Jonathon Bishop and personnel from the Storm Water Unit of the State Water Resources Control Board (SWRCB). This meeting was intended to identify USEPA expectations for the next drafts of Southern California MS4 permits. Much of the discussion focused on incorporation of TMDL compliance schedules into permits, the specifics of the design storm, LID / Green Infrastructure and hydromodification criteria. General agreement was not achieved on all issues, but dialogue has been opened and commitments have been made to assist one another in the process.

In a parallel effort, Bruce Fujimoto of the SWRCB conducted a state wide conference call on April 15, 2008 to discuss and attempt to define Effective Impervious Area (EIA). Ben Neill, Chad Loflen, Christina Arias and James Smith participated in the conference that included staff from the SWRCB as well as storm water staff from the individual Regional Boards. The purpose of the conference was to clarify and discuss the application of EIA in LID, address any potential problems regarding its use, and discuss how it can potentially be utilized as a metric in upcoming State and regional permits. The role of EIA as a step towards addressing hydromodification problems was also discussed. EIA can loosely be defined as the amount of impervious area that increases run off from a site. Hard-scapes that drain to pervious ground and retain all runoff, up to design storm criteria, would not be counted as EIA. Currently, EIA is a proposed

metric in the draft Ventura County MS4 permit for the Los Angeles Regional Board.

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

### **1. Sanitary Sewer Overflows (SSO) March and April 2008** *(Joann Cofrancesco and Mark Alpert) (Attachment B-1)*

The following is a summary of the most significant sewage spills that occurred during the period March and April 2008. These are defined as spills that are greater than 1,000 gallons and/or those spills that reached surface waters, including storm drains. Sewage Collection Agencies now report SSOs on-line at the State Water Resources Control Board's (State Board) CIWQS database pursuant to the requirements of State Board Order No. 2006-0003-DWQ. Reports on sewage spills are available on a real-time basis to the public from the State Board's Internet webpage at:  
<http://www.waterboards.ca.gov/enforcement/index.html>

#### **Public Spills from Sewage Collection Agencies Conveyance Systems**

From March 1 through April 30, 2008, there were 25 public sanitary sewer overflows (SSOs) reported on-line at the State Board's CIWQS database. Of these, three were 1,000 gallons or more and nine reached surface waters, including storm drains. The combined total volume of reported sewage spilled from all publicly-owned collection systems for the two-month period was 154,110 gallons. During March 2008, 0.26 inches of rainfall were recorded at San Diego's Lindbergh Field. In April 2008 only trace rainfall was recorded.

There was one major spill during this period: On April 19, 2008, the City of Laguna Beach reported 138,000 gallon sewage spill at South Coast Highway and Bluebird Beach, of which 58,000 gallons was discharged to the Pacific Ocean via a storm drain with the remainder recovered. This spill is currently under investigation by the Regional Board.

One year ago, there were 54 public sewage spills reported in March 2007, when 0.09 inches of rainfall was recorded, and 40 public sewage spills in April 2007 when 0.46 inches of rainfall was recorded.

#### **Private lateral Spills Reported by Sewage Collection Agencies**

In March and April 2008, there were 50 discharges of untreated sewage from private laterals reported on-line pursuant to the San Diego Regional Board Order No. R9-2007-0005, "Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region." The combined total volume of reported private lateral sewage discharges for the months of March and April 2008 was 7,321 gallons. None of these discharges was 1,000 gallons or more, however, 15 reached surface waters, including storm drains.

One year ago, there were 26 private lateral sewage spills reported in March 2007, and 17 private lateral sewage discharges reported in April 2007.

Attached is a table titled "Sanitary Sewer Overflow Statistics", updated through April 30, 2008, which contains a summary of all SSOs by fiscal year (FY) from each agency since FY 2002-2003. 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. Enforcement Actions for April 2008 *(Mark Alpert)*

The following is a summary of all enforcement actions during the month of April 2008. During this period the Regional Board initiated 14 enforcement actions (2 letters, 3 Staff Enforcement Letters, 2 Notice of Violations, 6 Investigative Orders, and 1 Cleanup and Abatement Orders).

In addition to the summary information provided below, access to information on violations, enforcement actions, and mandatory minimum penalties on a real-time basis is available to the public from the State Water Resources Control Board's Internet webpage at: <http://www.waterboards.ca.gov/enforcement/index.html>

On April 3, the Regional Board notified Scott Patterson of the Regional Board's concurrence to postpone the hearing for ACL Complaint No. R9-2005-0265 for Escondido Hale Avenue Resource Recovery Facility (HARRF). The hearing is rescheduled for August 13, 2008. The letter also established submission of written response to the Complaint will be accepted through Monday, July 14, 2008.

On April 3, 2008, the Regional Board notified Mr. Jim Malot of Terra Vac that on February 28, 2008 the State Board dismissed his petition of ACL Order No. R9-2007-0089, and therefore, the \$12,000 Mandatory minimum penalty for effluent violations at the Body Beautiful Car Wash site was due and payable. Payment has not yet been received. In the future, the Regional may consider referral to the Attorney General's office for collection proceedings.

On April 7, 2008, the Regional Board issued Investigative Order R9-2008-0047 to Ramona Landfill Inc., Ramona CA. (a subsidiary of Allied Waste), to investigate the nature and circumstances of stained soil and exposed liquid (leachate) observed on the southern slopes of the landfill during an inspection on March 3, 2008. The discharger is required to submit a technical report by June 13, 2008.

On April 7, 9, and 16, 2008, the Regional Board issued four Investigative Orders to investigate petroleum hydrocarbon releases from underground storage tank systems on the following sites. The first reports describing the results of the preliminary site assessments are due to the Regional Board in July 2008.

- R9-2008-0010 : Downtown Tire Shop, 2717 Imperial Avenue, San Diego, CA



- R9-2008-0014: Mission Bay Automotive, 1125 Morena Blvd, San Diego, CA
- R9-2008-0044 William Reynolds Construction, 7959 Lemon Grove Way, Lemon Grove, CA
- R9-2008-0045 : 2750 Kurtz Street, San Diego, CA

On April 10, 2008, the Regional Board issued two Staff Enforcement letters (SEL) to the USMC Camp Pendleton for violations identified in monitoring reports for the Sewage treatment Plant 1 (Water recycling facility) and Plant 9 (Las Pulgas).

Violations reported for Plant 1 include: 5 violations of effluent limitations, 2 violations for failure to monitor for flow, and a 14,500 gallon reclaimed water spill.

Violations reported for Plant 9 include; failure to provide the correct samples results for BOD and total suspended solids. The violations occurred on November 14, 2007.

On April 13, 2008 the Regional Board issued Notice of Violation R9-2008-0038 to Hunt Building company for violations of the statewide construction permit at the Del Mar North Housing under construction at USMC Camp Pendleton. Violations included: failure to prohibit non-stormwater discharges, and inadequate Best Management Practices (BMPs) to reduce erosion. The discharger has until May 16, 2008 to submit a technical report that describes the actions taken to bring the site into compliance.

On April 15, 2008 the Regional Board issued Addendum No. 1 to Investigative Order no. R9-2007-0105 for the Former E-Z Serve Gas Station, located at 9305 Mission Gorge Rd, Santee, CA. The addendum corrects the naming of the responsible party and adds the requirement for submittal of a Corrective Action Plan.

On April 17, 2008 the Regional Board issued a Staff Enforcement Letter (SEL) to the Orange County Public works for violations of a 401 water quality certification issued for the Aliso Creek Outlet Maintenance Project. Violations identified in the SEL included; late submittal of the annual report and failure to provide monitoring of the maintenance event.

On April 18, 2008 the Regional Board issued Addendum No. 1 to Cleanup and Abatement Order (CAO) No. R9-2007-0226 to the North Coast Transit District for the Sprinter Rail Project. The addendum reduces the frequency of required monitoring reports.

On April 25, 2008 the Regional Board issued Notice of Violation No R9-2008-0040 to Otay Mesa Property for multiple violations of a Clean Water Act 401 water quality certification issued for a project known as Loop Road CG 4350 in an unincorporated area of Otay Mesa, San Diego County. Violations included: failure to implement sediment and erosion control, failure to vegetate a detention

basin, failure to provide post construction BMPs, failure to complete on and off site habitat mitigation, and failure to secure an encroachment permit for off site mitigation. The discharger has until May 23, 2008 to submit a technical report that describes the actions taken to bring the site into compliance with the 401 certification.

3. Schedule for Regional Board Hearing on Complaints for Administrative Civil Liability (ACL) (Mark Alpert)

The following is the current schedule for Regional Board hearings on 5 ACL complaints that have been issued to date. The Complaints and additional Information can be found on the Regional Board's ACL Complaint web page site at <http://www.waterboards.ca.gov/sandiego/>.

*June 11, 2008 Board Meeting*

**North County Transit District, Sprinter Rail Project**

**Administrative Civil Liability Complaint No. R9-2008-0021:**

The Complaint recommends the Regional Board impose \$685,000 in discretionary administrative civil liability for violations of the statewide construction stormwater permit. Written comments regarding the allegations contained in the Complaint will be accepted through Wednesday, May 21, 2008. For more information regarding this matter please call Frank Melbourn at (858) 467-2973 or by email at [fmelbourn@waterboards.ca.gov](mailto:fmelbourn@waterboards.ca.gov)

**San Diego County Water Authority, San Vicente Pipeline Dewatering Project Administrative Civil Liability Complaint No. R9-2007-0014**

The Complaint recommends the Regional Board impose \$120,000 in mandatory minimum penalties for effluent violations in the discharge of extracted groundwater to surface waters tributary to the San Diego River. A hearing was delayed to allow the Water Authority opportunity for a consultation with US Army Corp of Engineers to determine jurisdiction. A hearing on the complaint is scheduled for June 11, 2008. For more information regarding this matter please call Rebecca Stewart at (858) 467-2966 or by email at [rstewart@waterboards.ca.gov](mailto:rstewart@waterboards.ca.gov)

*June 25, 2008 Board Meeting*

**City of Carlsbad and City of Vista; Sewage Spill to Buena Vista Lagoon**

**Administrative Civil Liability Complaint No. R9-2007-0099:**

The Complaint recommends the Regional Board impose \$1,095,000 in discretionary administrative civil liability for the discharge of 7.3 million gallons of raw sewage into Buena Vista Lagoon that occurred in March/April 2007. Written comments regarding the allegations contained in Complaint No. R9 2007-0099, will be accepted through Wednesday, May 21, 2008. For more information regarding this matter please call Frank Melbourn at (858) 467-2973 or by email at [fmelbourn@waterboards.ca.gov](mailto:fmelbourn@waterboards.ca.gov).

*August 13, 2008 Board Meeting***City Of Escondido, Hale Avenue Resource Recovery Facility  
Administrative Civil Liability Complaint No. R9-2005-0265:**

The Complaint recommends the Regional Board impose \$1,335,000 in mandatory minimum penalties and \$462,150 in discretionary administrative civil liability, for a total proposed assessment of \$1,797,150, for numerous violations resulting from the treatment, transport, and disposal of sewage from the Hale Avenue Resource Recovery Facility (HARRF). Written comments regarding the allegations contained in Complaint No. R9 2005-0265, will be accepted through Monday, July 14, 2008. For more information regarding this matter please call Rebecca Stewart at (858) 467-2966 or by email at [rstewart@waterboards.ca.gov](mailto:rstewart@waterboards.ca.gov)

**William and Heidi Dickerson, and Perry & Papenhausen Construction, Inc.  
501 First Street, Coronado.****Administrative Civil Liability Complaint No. R9-2008-0019:**

The Complaint recommends the Regional Board impose \$45,000 in mandatory minimum penalties for effluent violations in the discharge of extracted groundwater to San Diego Bay. Written comments regarding the allegations contained in Complaint No. R9 2008-0019, will be accepted through Friday, May 16, 2008. For more information regarding this matter please call Frank Melbourn at (858) 467-2973 or by email at [fmelbourn@waterboards.ca.gov](mailto:fmelbourn@waterboards.ca.gov).

**4. Mandatory Minimum Penalty (MMP) Status Report (Rebecca Stewart and Mark Alpert)**

Since January 2000, California Water Code (CWC) section 13385 requires mandatory minimum penalties (MMPs) for violations of effluent limitations established in National Pollutant Discharge Elimination System (NPDES) permits (for discharges to navigable waters, such as the ocean, bays and lagoons, and rivers). NPDES permits commonly issued in this region are for discharges from: 1) wastewater treatment plants; 2) extracted groundwater (for construction or cleanup activities); 3) utility vaults; 4) hydrostatic (potable water); and 5) other industrial processes.

For violations that are subject to MMPs, the Regional Board must either assess an ACL for the minimum of \$3,000 per violation<sup>1</sup> or at its discretion assess liability for an amount higher than the mandatory minimum based on consideration of the factors established in the Water Code. Water Code Section 13385(j)) provides for only limited exemptions from MMP.

Statewide, the number of reported effluent violations without assessment of MMPs has increased significantly in recent years. Reducing the backlog of

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<sup>1</sup> \$3,000 MMP are assessed based on whether a violation is: 1) Serious, which is defined as an exceedance of an effluent limitation for a Group I pollutant, as specified in appendix A to Section 123.45 of title 40 of the Code of Federal Regulations (CFR) by 40 percent or more, or for a Group II pollutant by 20 percent or more; or 2) not serious but that are more chronic in nature, beginning with the 4<sup>th</sup> violation in a six-month period.

MMPs has become a high priority. Despite the statewide backlog, the San Diego Region has consistently processed MMPs as the violations occur and therefore, has only a few dischargers with pending MMPs. As of this writing the San Diego Region has nine dischargers with effluent violations subject to potential MMPs that have yet to be resolved. The Regional Board's goal is to fully resolve all remaining MMP violations by the end of this calendar year. The current status of MMPs for the San Diego Region is summarized below:

**ACL Complaint issued: Hearings Scheduled in June and August 2008**

Agency and Facility Name	Type of Facility	Effluent Violations subject to MMP	Status
City of Escondido HARRF Discharge to San Elijo Ocean Outfall	POTW	451	\$1.7 million ACL complaint R9-2005-0065. Hearing scheduled for August 2008.
Dickerson, Perry & Papenhausen Const.	Dewatering	15	\$45,000 ACL complaint no. R9-2008-0019. Hearing scheduled for August 2008
San Diego County Water Authority San Vicente Pipeline Project	Dewatering	40	\$120,000 ACL complaint R9-2007-0014. Hearing to be scheduled for June 2008.

**ACL Complaints Anticipated to be issued Spring and Summer 2008**

Agency and Facility Name	Type of Facility	Effluent Violations subject to MMP
Kinder Morgan Energy Partners LLP Mission Valley Terminal	Dewatering	36
Padre Dam WRF	POTW	1
Promenade at Pacific Beach	Dewatering	6
SOCWA-San Juan Creek Ocean Outfall	POTW	71
San Diego City Convention Center	Dewatering	7
San Elijo WPCF	POTW	1

In addition to the summary information provided below, access to information on violations, enforcement actions, and mandatory minimum penalties on a real-time

basis is available to the public from the State Water Resources Control Board's Internet webpage at: <http://www.waterboards.ca.gov/enforcement/index.html>

5. **Grants Update** (Dave Gibson) (Attachment B-5)

The Regional Board is managing 22 projects worth approximately \$39.7 million in total project costs. Most of the projects previously behind schedule have returned to conformance with the existing Grant Agreements. The Regional Board Grant Managers will continue to provide close oversight of these grant funded projects and assist the grantees to ensure the success of their projects and conformance to the Grant Agreement terms and conditions. During recent years, several funded projects that have failed to conform to the Grant Agreement terms and conditions have been terminated by the State Water Resources Control Board (State Water Board) on the recommendation of the Regional Board Executive Officer.

**Integrated Regional Water Management (IRWM) Grant Program**

The State Water Board and Department of Water Resources (DWR) invited nine applicants to submit Step 2 proposals for the second round of funding for the Prop 50 IRWM Grant Program. Five applications were received from Northern California Groups and four Southern California Groups. Funding recommendations were announced May 1, 2008. The San Diego IRWM Group was among those recommended for funding at between \$20 and \$25 million dollars (Attachment B-5).

DWR has scheduled three informational meetings on the status of the Prop 84 IRWM grant program. The purpose of these meetings is to provide interested stakeholders with an update on the status of the IRWM Program and associated funding from Proposition 84 and Proposition 1E (Storm Water Flood Management grants). Additional information can be found at: <http://www.water.ca.gov/news/newsreleases/2008/042508may8prop50.pdf>

**Areas of Special Biological Significance (ASBS) Grant Program**

The State Water Board is now accepting Concept Proposal applications for its \$32 million ASBS Grant Program. Applications are due by 5:00 P.M. on Thursday, May 22, 2008.

A Concept Proposal Workshop was held for applicants on Wednesday April 23, 2008 at the North Coast Regional Water Quality Control Board in Santa Rosa to provide information to applicants regarding the Concept Proposal Application process. The workshop presentation and additional information is available at: [http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/asbs/docs/applicant\\_assistance.pdf](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/asbs/docs/applicant_assistance.pdf)

**319(h) Nonpoint Source (319(h) NPS) Implementation Grant Program**

The Recommended Funding List was adopted by the State Water Resources Control Board on April 15, 2008. There were no eligible projects in the San

Diego region. Information on the 319(h) NPS Program can be found at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/319h/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/319h/index.shtml)

### **California Financing Coordinating Committee (CFCC) Funding Fair**

The final 2008 CFCC Funding Fair will be held in West Sacramento on Tuesday, May 6, 2008 (Attachment 2). The Funding Fair will showcase the funding opportunities available through six funding agencies, including the: Department of Public Health; State Water Resources Control Board; Department of Housing and Community Development; US Department of Agriculture Rural Development; California Infrastructure and Economic Development Bank; and Department of Water Resources. The CFCC Funding Fair is open to all interested parties. Additional information on the West Sacramento Funding Fair is available at: [www.cfcc.ca.gov](http://www.cfcc.ca.gov)

### **Proposition 84 Storm Water Grant Program (SWGP)**

The first Storm Water Advisory Task Force (SWATF) meeting was held on April 7, 2008. The next SWATF meeting is scheduled for June 16, 2008.

Meeting details, including the agenda, are available at:

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/prop84/prop84\\_taskforce.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/prop84/prop84_taskforce.shtml)

In addition, the State Water Board held three scoping meetings for the Proposition 84 SWGP on February 25<sup>th</sup> (Sacramento), March 3<sup>rd</sup> (San Luis Obispo), and March 10<sup>th</sup> (Los Angeles). Interested parties that were unable to attend the meeting, but would like to provide input can complete and submit the Discussion Topics handout, which are available on the SWGP webpage. Input received during the scoping meetings is available on the SWGP webpage and was provided to the SWATF members at the April 7, 2008, meeting. Information on the SWGP is available at:

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/prop84/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/prop84/index.shtml)

### **6. Municipal Separate Storm Sewer System (MS4) Permit Audit – Watershed Program Effectiveness Assessments (Laurie Walsh)**

During the week of April 14, 2008, Christina Arias, Dat Quach, Laurie Walsh, and Ben James of the Central and Southern Watershed Protection Units conducted audits of the San Diego Copermittees' Watershed Urban Runoff Management Programs with assistance from USEPA contractor, PG Environmental, LLC. The purpose of the audit was to: 1) assess the Copermittee's understanding and implementation status of their watershed-scale runoff management program; 2) evaluate the Copermittee's knowledge of when and why the iterative process must be implemented; and 3) review the design, application, and effectiveness of each Copermittee's BMPs (how they target existing TMDLs and how they prevent future water quality impairment). The audits were conducted within the San Diego Bay and Carlsbad Watersheds. The audit teams visited the County of

San Diego, City of San Diego, City of Lemon Grove, City of La Mesa, City of National City, and City of Imperial Beach within the San Diego Bay Watershed, and the City of Oceanside, City of Escondido, City of San Marcos, and City of Carlsbad within the Carlsbad Watershed. The audit teams used the requirements set forth in the San Diego County Municipal Storm Water Permit (Order No. R9-2007-0001) as the principle program evaluation tool. PG Environmental, LLC will submit a report of their audit findings and recommendations to USEPA and the Regional Board.

7. Government Accountability Office Evaluation of the South Bay International Wastewater Treatment Plant Secondary Treatment Options (*Melissa Valdovinos*)

On April 24, 2008, the United States Government Accountability Office (GAO) published a report evaluating two alternatives for achieving compliance with federal secondary treatment standards for wastewater originating in Tijuana and being treated at the U.S. International Boundary and Water Commission (IBWC), South Bay International Wastewater Treatment Plant (SBIWTP) located in the United States in South San Diego. Currently, the SBIWTP treats up to 25 MGD of sewage from Tijuana to advanced primary levels and discharges the treated effluent to the Pacific Ocean through the South Bay Ocean Outfall (SBOO), which extends approximately three miles offshore of Imperial Beach. The discharge does not meet the federal secondary treatment standards as contained in IBWC's National Pollutant Discharge Elimination System (NPDES) permit, Order No. 96-50.

One alternative is for the IBWC, a federal agency, to expand the existing SBIWTP to provide secondary treatment at the current location. The other alternative is for a private firm, Bajagua LLC, to pump the SBIWTP advanced primary-treated wastewater effluent approximately five miles southeast back into Mexico for further treatment to meet secondary treatment standards at a new facility to be built in Tijuana (Bajagua Project). The new plant would also have the capacity to provide treatment for an additional 34 MGD of wastewater originating from Tijuana. The final effluent, which would be required to meet all federal and state water quality standards pursuant to an NPDES permit, including federal secondary treatment standards, would be pumped back to the United States and discharged through the SBOO.

The GAO report acknowledged some limitations in the evaluation process but concluded that the approximate 20-year cost for the SBIWTP option would be \$331 million, and for the Bajagua Project option would be \$539 million. These funds would come from the United States government. Neither proposal would enable IBWC to meet a September 30, 2008 federal court-ordered deadline for achieving compliance with secondary treatment standards. The IBWC estimates its proposal would be operational by January 2011 and Bajagua estimates its proposal would be operational by March 2010.

The full GAO report is available on-line at [www.gao.gov/new.items/d08595r.pdf](http://www.gao.gov/new.items/d08595r.pdf)

### 8. Potential Water Quality Impacts from Abandoned Mines in the San Diego Region (John Odermatt and Julie Chan) (Attachment B-8)

The San Diego Union Tribune published a recent article about hazards from abandoned mines located in San Diego County (Attachment B-8). The article focused on the physical hazards of abandoned mines in our Region, but impacts to water quality from abandoned mines are also possible depending on the local conditions of geology and proximity of abandoned mines to water resources. Information is lacking that documents actual water quality impacts from abandoned mines in the San Diego Region. The Union Tribune reported that authorities have not located mines in the San Diego area that have caused pollution.

The San Diego Region has a rich localized mining history, particularly in the Julian and Pine Valley areas. As reported in the Union Tribune, gold was mined primarily from 1870 to 1900, copper during World War I, and tungsten during World War II leaving an estimated 670 abandoned mines in San Diego County alone.

According to the Abandoned Mine Unit of the California Department of Conservation, the most common environmental hazards associated with the types of abandoned mines found in the San Diego Region are:

- high concentrations of soluble toxic metals and low pH (acidic) waters from acid-rock drainage (ARD) from mine tunnels;
- high concentrations of mercury in water and sediment from historic placer mining areas.

Statewide, 11 percent of the abandoned mines in California may present environmental hazards. The Abandoned Mine Unit assessed the potential environmental hazards of these sites using geo-environmental models to identify areas of the state that, by virtue of their mineralogy and climactic conditions, have a higher potential for environmental degradation from abandoned mines.

The results of these modeling studies indicate that the frequency of abandoned mine environmental hazards is low in the San Diego Region compared to other parts of the state because our region was less intensely mined. However, the studies also indicate that there are "potential impacts" to some of our watersheds from acid rock drainage, and to a lesser extent from abandoned placer mines. The potential frequency of occurrence of water pollution from high concentrations of arsenic was estimated to be zero in the San Diego region watersheds. To better assess the threat to water quality posed by abandoned mines in our Region, staff will contact the counties, and the California Department of Conservation for more information on the location and type of abandoned mines in our Region. If further information is obtained on this topic, an Executive Officer Report item will be provided.



9. Downtown San Diego Lane Field Hotel Development Site Follow up (*John Anderson*)

Two persons expressed concern to the Regional Board about the potential environmental problems at the proposed Lane Field Hotel Development site, located at 970 Broadway Avenue (Northeast corner of Broadway Avenue and North Harbor Drive) in downtown San Diego. The project proponent is Lane Field San Diego Developers, LLC.

Concern about the hotel project was first expressed by UNITE-HERE Local 30 in a letter to the Board dated March 27, 2008. UNITE-HERE is a labor union that represents workers in several major sectors including hotels. UNITE-HERE Local 30's attorney, Ms. Tanya Gulesserian of the law firm Adams, Broadwell, Joseph & Cardozo requested the Board review environmental data on "... toxic substances in the soil and ground water on the proposed Project site in order to evaluate impacts on the environment during construction and operation of the proposed Project."

The second person to express concern was Ms. Sarah Krejca, who appeared at the April 9<sup>th</sup> Public Forum on behalf of the San Diego Coastkeeper. Ms. Krejca requested that the Board investigate soil and ground-water contamination at the proposed project site.

In response, the Board's Southern Ground Water Unit requested copies of the supporting environmental documents from UNITE-HERE Local 30 to review. Additional information (maps and preliminary site assessment reports) was received in late April. The Board's level of involvement in overseeing environmental cleanup at this project site has not yet been determined.

10. Update - Ground Water Ambient Monitoring and Assessment Program (*John Anderson*)

Over the next two years, the SWRCB's Ground Water Ambient Monitoring and Assessment (GAMA) Program will be implementing the Voluntary Domestic Well Assessment Project for San Diego County. The GAMA Program has identified 168 private domestic ground-water wells for monitoring in San Diego County, including the eastern portion of the County in the Colorado River Region (7). For the next several weeks, GAMA program staff will collect ground-water samples from selected domestic wells in North San Diego County in the vicinity of Fallbrook and Ramona. Members of the Regional Board's Ground Water Basins Branch will assist. Ground water will be sampled in order to characterize its constituents and identify trends in ground-water quality. The results of these analyses will provide information for water agencies to address a variety of issues ranging in scale from the quality of local water supplies to statewide resource management and protection.

The GAMA Program was developed in response to the Groundwater Quality Monitoring Act of 2001 - a public mandate to assess and monitor the quality of

ground water used as public supply for municipalities in California. The goal of the act is to improve statewide ground-water monitoring and facilitate the dissemination of information about ground-water quality to the public. The GAMA Program is intended to provide a comprehensive assessment of statewide ground-water quality to help better understand and identify risks to ground-water resources. The SWRCB is implementing the GAMA Program in coordination with the U.S. Geological Survey and Lawrence Livermore National Laboratory.

The initial GAMA Program studies, begun in 2002, focused on assessing water quality in large public supply wells. The San Diego Region was one of the first areas studied, and a report on ground-water quality in our Region was published in 2004. Realizing that data from public supply wells didn't present the entire picture of ground-water quality, the GAMA Program initiated a Voluntary Domestic Well Assessment Project in 2002.

11. CEQA for Certified Regulatory Programs Training (*Lisa Honma*)

The San Diego Regional Water Quality Control Board (Water Board) faces very significant challenges in addressing many water bodies listed as impaired in the Clean Water Act section 303(d) List. A primary means to address these impairments is by developing and implementing Total Maximum Daily Loads (TMDLs) for these water bodies and constituents. In the process of adopting or amending basin plans and policies, or when issuing permits such as Waste Discharge Requirements (WDRs), the Water Board, must comply with the requirements of the California Environmental Quality Act (CEQA). Activities related to federal permits, such as issuing, renewing, amending, or enforcing NPDES permits, however, are exempt from CEQA, but must instead comply with similar environmental disclosure laws under Federal law.

The Water Board's Basin Planning process has been designated by the Secretary of the Resources Agency as a "Certified Regulatory Program" which is functionally equivalent to CEQA process. The Water Board's technical reports contain similar content and analysis as the Negative Declarations and Environmental Impact Reports (EIRs) required by CEQA and are called "Substitute Environmental Documents" (SEDs).

In the last several years, litigation was brought against the Los Angeles Water Board that challenged whether they were compliant with CEQA. The Superior Court and Appeals Court ruled against the Los Angeles Water Board on several counts pertaining to CEQA. As a result of these rulings, the San Diego Water Board revised its SEDs for Chollas Creek Metals TMDLs and San Diego Beaches and Creeks Bacteria TMDLs to assure that its environmental analysis could withstand any legal challenge.

Taking the lessons that have been learned in the Los Angeles and San Diego regions, the State Water Board, Regional Boards, and the Office of Chief Counsel developed a training program titled "CEQA for Certified Regulatory

Programs" That was given on April 21-23, 2008 in Tahoe City, California. Julie Chan, Alan Monji, and Benjamin Tobler of the San Diego Water Board participated in the development of the modules for Alternatives Analysis, Economic Considerations Analysis, and Cumulative Impacts Analysis. Alan Monji presented the Economic Considerations Analysis from the Beaches and Creeks Bacteria TMDLs.

Legal and administrative guidance was provided on the information and analysis that needs to be included when completing the SEDs. Material covered in the training included how to frame the Project Description, perform CEQA Scoping, fill out the Environmental Checklist, define Reasonably Foreseeable Methods of Compliance, and perform Alternatives Analysis, Cumulative Impacts Analysis, and Economic Considerations Analysis. The knowledge received over the course of the training will help staff to effectively meet CEQA requirements when developing TMDL projects and prevent the delays caused by legal challenges.

#### 12. Tijuana River Watershed Total Maximum Daily Loads (TMDL) Update *(Benjamin Tobler and Dave Gibson)*

The following update is provided on the Regional Board's staff consideration of application of a TMDL(s) to the Tijuana River watershed. Although the current prioritization of TMDLs indicates this watershed will be completed until 2019, the San Diego Water Board is currently assisting in the data collection and source investigation necessary for the development of a TMDL(s) for this watershed.

#### **Background**

The federal Clean Water Act (CWA) requires each State to identify and list surface water bodies that are polluted. These water bodies, referred to in law as "water quality limited segments," do not meet water quality standards. The USEPA requires that States compile these water bodies into a list, referred to as the "Clean Water Act Section 303(d) List of Water Quality Limited Segments" (303(d) List).

Both the Tijuana River and its estuary have numerous 303(d) listings for pollutant impairments. The Tijuana River watershed is the largest of the San Diego Region's watersheds, draining a 1,730 square mile basin. Originating in Mexico, the watershed is divided by the U.S. / Mexico border with 73% within the urban landscape of Tijuana, Mexico and outside the regulatory authority of State law and the San Diego Regional Board. The river crosses into the United States near San Ysidro, California, then flows westerly in a broad floodplain about 5.3 miles to discharge into the Pacific Ocean at a point about 1.5 miles north of the border.

The CWA further requires that each State prioritize the water bodies on the list and develop TMDLs to eliminate the pollutant impairments. In considering where the Tijuana River fell within the San Diego Regional Board's prioritization, many factors were considered, balancing the prominent need for water quality improvements with the probability of achieving these improvements. With respect

to the Tijuana River, the probability for achieving water quality improvements via the regulatory authority of the Regional Board, was determined to be very low due to the international nature of the sources of pollutants causing or contributing to the impairments. Consequently, a TMDL for this watershed is not scheduled to be completed until 2019. Nonetheless, the Regional Board understands the urgency for improving water quality in the Tijuana River watershed, and remains active in pursuing all available avenues to achieving this goal.

### **Ongoing Activities and Future Directions**

Presently, Benjamin Tobler of the TMDL Unit is acting as a technical liaison in the Imperial Beach Bacterial Identification Study. This project is an extensive bacteria source identification study in the Tijuana River Basin funded with \$1,029,000 in Proposition 50 Clean Beaches Initiative (CBI) Grant Program under a Grant Agreement between the State Water Resources Control Board and the City of Imperial Beach. The project directly addressed two beaches within the Tijuana watershed: 1) Border Field State Park at Tijuana River and 2) Imperial Beach. Both beaches are periodically impacted by sewage-contaminated flows from the Tijuana River.

The Imperial Beach Bacterial Source Identification Study will help to determine what the actual extent of the bacteria problem is, how much is coming from local sources, and how much from Mexico. It is a crucial first step for ultimately developing a TMDL for bacteria in the Tijuana River.

In addition, US EPA is supporting TMDL development in the Tijuana River and Estuary with a contract of \$40,000 to evaluate the current impairment condition of the 303(d) listed water bodies. This initial project scope will include an assessment of all data currently available in the watershed, an evaluation of the data and monitoring needs to support TMDL development and scoping for modeling efforts needed. The Regional Board will work closely with US EPA on this project.

Finally, although adoption of a TMDLs is seemingly far off in the future, the Regional Board is assisting in the data collection and source investigation, and is contributing to the partnerships with stakeholders and agencies on both sides of the international border that crafted a Binational Vision (i.e. a watershed management plan) for the Tijuana River Watershed with funding from Proposition 13 in 2003. Indeed, international legal and territorial issues notwithstanding, this international watershed management initiative could be the ultimate vehicle for implementing a set of TMDLs for this watershed in which willing partners on both sides of the border implement agreed upon waste load reduction activities and projects. More information on the Tijuana River Watershed Binational Vision can be found at: <http://trw.sdsu.edu/English/Projects/Vision/Index/INDEX.HTM>

### 13. Prioritization of TMDLs for the San Diego Region (*Cynthia Gorham-Test, Ben Tobler, and Dave Gibson*)

The US EPA, State Water Resource Control Board (State Water Board), and the Regional Boards prioritize Total Maximum Daily Load projects using the "Clean Water Act Section 303(d) List of Water Quality Limited Segments" (303d List), which is updated every two years. Presently, the San Diego Region has 78 waterbodies on the 303d List, of which, 20 have been assigned a specific target year for TMDL completion. The remaining 303(d) listed water bodies are assigned a default completion year of 2019, as established by the CWA 2002 303(d) List. The prioritization of the TMDL Projects will be revisited following the 2008 update of the 303(d) List. The San Diego Regional Board website has information on the current 303(d) List and TMDL Priorities and Schedules at: <http://www.waterboards.ca.gov/sandiego/programs/303dlist.html>

#### **The First TMDL Projects**

The first TMDLs were selected several water body-constituent combinations from a wide range of waterbody and land use types in order to build organizational capacity and address several different water quality issues throughout the region.

#### *Chollas Creek Diazinon TMDL and Chollas Creek Metals TMDL*

Chollas Creek was the first waterbody in the San Diego Region to be addressed by a TMDL. This creek was originally on the CWA 303(d) List for toxicity, although the specific pollutants were unknown at the time. Chollas Creek was chosen because of the toxic hot spot located at the mouth of the creek in San Diego Bay, and because of its proximity to the shipyards, where so much activity regarding sediment cleanup was occurring. The rationale was that any source to the hot spot should be removed before any dredging occurred at the hot spot.

A Toxicity Identification Evaluation (TIE) determined that the pesticide, diazinon was causing the toxicity. Study of the stream also determined that heavy metals were exceeding the California Toxics Rule (CTR); and with that information, Chollas Creek was placed on the CWA 303(d) List for copper, lead, and zinc exceedences in the water column. The Chollas Creek Metals TMDL was continued after the completion of the Diazinon TMDL, which was adopted by the San Diego Water Board in August 2002.

#### *The Shelter Island Yacht Basin Copper TMDL*

Shelter Island Yacht Basin in San Diego Bay was placed on the CWA 303(d) List for copper at concentrations considered to be toxic. The primary source of the copper came from antifouling paint from boat hulls that were docked in the marina. At that time, only Shelter Island was placed on the CWA 303(d) List due to the lack of sufficient data regarding copper and toxicity at other marinas. Since then, all the marinas in San Diego Bay have been listed as impaired.

#### *Rainbow Creek Nutrients TMDL*

Rainbow Creek in the Santa Margarita watershed was the focus of the Region's first rural non-point source (NPS) TMDL. This TMDL for nutrients was linked to

agriculture and leaking septic systems. Rainbow Creek was a concern because the County of San Diego placed a moratorium on installing new septic systems in the Rainbow Creek watershed and the Rainbow Creek watershed is part of the recharge area for the Santa Margarita River, which is a municipal source water supply for Camp Pendleton.

### **Current TMDL Projects**

The remaining TMDLs that have been prioritized for the San Diego Region can be placed into three groupings: the Bacteria TMDLs, the Lagoons TMDLs, and the San Diego Bay sediment TMDLs.

#### *The Bacteria TMDL Projects*

The bacteria TMDLs includes: the Beaches and Creeks TMDL, the San Diego Bay TMDLs, the Dana Point Harbor TMDL, and the Tecolote Creek TMDL.

The Bacteria TMDL Projects were determined to be a high priority due to the high concern whether California beaches were unsafe for swimming. Exposure to bacteria during water recreation could lead to a public health concern. The multiple 303(d) listings of the San Diego Region's beaches for bacteria concerned San Diego Water Board staff with regard to protecting our recreational beneficial use, and addressing human health concerns, thereby elevating its status as a priority. How many of the twenty are in this category and what is the schedule

#### *The Lagoons TMDL Project*

The Lagoons TMDL Project includes seven lagoons or sloughs (Santa Margarita Lagoon, Loma Alta Slough, Buena Vista Lagoon, Agua Hedionda Lagoon, San Elijo Lagoon, Los Penasquitos Lagoon, and Famosa Slough and Channel), three adjacent ocean shorelines, and Agua Hedionda Creek.

The Lagoons TMDL Project was prioritized due to the five coastal lagoons/sloughs that were listed for bacterial impairment. By combining together 5 water bodies increased efficiency, other pollutants (nutrients/ eutrophication, sedimentation) would also be addressed and other lagoons with the same pollutants also would be addressed. The Tijuana River and Estuary was the exception. This waterbody is complicated by the international border issues (see accompanying report on the Tijuana River and Estuary in this EO report).

#### *The San Diego Bay Sediment TMDL Projects*

Five of these TMDLs are slated for completion in the next three to four years. They include the mouths of Chollas, Paleta, and Switzer Creeks, Downtown Anchorage, and B Street/ Broadway Piers

The San Diego Bay Sediment TMDLs include listings for specific pollutants, although many of the listings are for toxicity and benthic community effects (degradation). During the 1980's the San Diego Water Board focused its efforts

on cleanup in San Diego Bay. Much of the sampling that occurred in San Diego Bay stemmed from this effort and led to the CWA 303(d) Listing of the many sites in San Diego Bay for sediment contamination. The interest in sediment contamination continues in response to concern for risks to wildlife and human health.

### **Future TMDL Projects**

As discussed above, the prioritization of TMDL projects for the next several years will be revisited following the 2008 update of the 303(d) List. This is planned for late 2008 or early 2009, during which time, ongoing TMDLs will be moved forward efficiently to facilitate greater efforts with stakeholders on the next generation of TMDLs. The re-prioritization of TMDL projects will include a number of factors including, but not limited to, the ambient condition of the waters of the state and attainment of beneficial uses, the compliance status of Waste Discharge Requirements and NPDES Storm Water Permits, the type of impairments, the risks to human and environmental health represented by the impairments, and the extent of interest or concern among stakeholders in the affected watersheds.

#### **14. Status of Compliance from North County Transit District Sprinter Rail Site**

*(Peter Peuron)*

On May 2, 2008, pursuant to requirements of Cleanup and Abatement (CAO) Order No. R9-2007-0226, NCTD provided a "Certification of Substantial Compliance" certifying under penalty of perjury that the Sprinter Rail project was, on that date, in compliance with requirements of the construction stormwater permit. A site inspection performed by the Regional Board on May 8, 2008 confirmed that the project is compliant with the CAO and the construction storm water permit for dry season conditions.

A hearing for Administrative Civil Liability Complaint No. 2008-0021 in the amount of \$685,000, regarding numerous past alleged violations of the construction permit, is scheduled for the June 14, 2008 Regional Board meeting.

#### **15. Developing Mitigation Options for Poseidon's Marine Life Mitigation Plan**

*(Chiara Clemente)*

On May 1, 2008 Chiara Clemente and John Robertus participated in a multi-agency meeting at the Agua Hedionda Lagoon Discovery Center to discuss marine life impacts and mitigation for the Poseidon Resources Desalination Facility. This meeting was a critical component of the mitigation implementation approach proposed by Poseidon as part of the Flow Entrainment and Impingement Minimization Plan, conditionally approved by the Board at the April 9, 2008 Board Meeting.

The meeting included a discussion of the results from Coastal Commission's contracted review of the entrainment study and Poseidon's originally proposed mitigation for restoration in the San Dieguito watershed. The remainder of the meeting focused on alternative mitigation projects and sites, and what each regulatory agency considered to be acceptable mitigation. The outcome was that

Poseidon would consider each agency's concerns, and draft a revised method for proceeding with permitting and mitigation.

Resource agencies present included the California Coastal Commission, State Lands Commission, Department of Fish and Game and this Regional Board. Also present, to discuss possible mitigation alternatives, were Poseidon, the City of Carlsbad, City of Vista, and a few consultants familiar with such work.

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

1. 2008 Federal Clean Water Act Section 303d List and Integrated Report (*Alan Monji*)

The "Clean Water Act Section 303(d) List of Water Quality Limited Segments" (303d List) is updated every two years. The 303d List is part of the Integrated Report, which also includes an assessment of other surface water bodies in accordance with Clean Water Act section 305(b). For the 2008 update, the 303(d) List of Impaired Waterbodies and 305(b) Surface Water Quality Assessment report will be combined into one integrated report. For more background information, please refer to the December 2007 Executive Officer report ([http://www.waterboards.ca.gov/sandiego/eo\\_report/eoreport.html](http://www.waterboards.ca.gov/sandiego/eo_report/eoreport.html)).

Over 300 draft fact sheets for proposed water body listings or de-listings have been drafted and are under review. The information from these fact sheets will be entered into the State Water Board's California Water Quality Assessment (CA WQA) database. The CA WQA database is a new addition to the 303d update process intended to streamline and increase consistency among regions in the listing of water bodies on the 303(d) List. Two designated staff members from each Regional Board will participate in the May 20 and 21, 2008 workshop and training on the CA WQA process at the U.C. Davis Extension campus in Sacramento.

After the formal training is complete and the Regional Boards' have had a chance to use the CA WQA database, the State Water Board will consider feedback from the Regional Boards' before establishing a timeline with major milestones in the update process. At that time, the CA WQA database can then be used to create the 2008 Integrated Report. Some of the major milestones tentatively projected for late 2008 and early 2009 are: generation of an integrated report, release of the draft integrated report, public workshops, response to comments, and Regional Board hearings.

See <http://www.waterboards.ca.gov/sandiego/programs/303dlist.html> for more information.



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

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

May 14, 2008

APPENDED TO EXECUTIVE OFFICER REPORT

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

DATE OF REPORT	NAME OF PERMIT/WDR/RB ACTION	Action Type	Initial Document Application Complete	Dish./RWQ Limits and Monitoring Plan Known	Draft Complete	Public Rev. & Comment	BOARD HEARING & ADOPTION	Consent Item	COMMENTS	Staff
<b>May 14, 2008</b>	<b>JUNE 11, 2008 RB MEETING</b> San Diego Regional Board Office									
	TOTAL MAX. DAILY LOAD BASIN PLAN AMENDMENT-- BACTERIA AT DANA PT. HARBOR'S BABY BEACH AND SAN DIEGO BAY SHELTER ISLAND SHORELINE PARK	Adoption: TMDL	NA	NA	100%	0%	June 11, 2008	No		Chiu
	ENFORCEMENT: PROCEDURES FOR SETTLEMENT OF ADMINISTRATIVE CIVIL LIABILITIES	Resolution	NA	NA	50%	0%	June 11, 2008	No		McCann
	SAN DIEGO CO. WATER AUTHORITY--SAN VICENTE PIPELINE PROJ. DISCHARGE	Hearing: Admin. Civil Liability	NA	NA	50%	0%	June 11, 2008	No	Mandatory Minimum Penalty ACL \$120,000	Alpert
	NORTH CO. TRANSIT DISTRICT--SPRINTER PROJ. CONSTRUCTION STORM WATER VIOLATIONS	Hearing: Admin. Civil Liability	NA	NA	100%	0%	June 11, 2008	No	Admin. Civil Liability Complaint \$685,000	Stewart
	CULLIGAN WATER CONDITIONING PLANT--SAN DIEGO DISCHARGE TO PACIFIC OCEAN	NPDES Permit Rescission	NA	NA	50%	0%		Yes		
	<b>JUNE 25, 2008 RB MEETING</b> San Diego Regional Board Office									
	US NAVY-- NAVAL BASE PT. LOMA SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	80%	0%	June 25, 2008	No	NPDES Workplan FY 2007-08	Kelley
	US NAVY--NAVAL BASE SAN DIEGO SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	80%	0%	June 25, 2008	No	NPDES Workplan FY 2007-08	Kelley
	US NAVY--NAVAL BASE CORONADO SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	80%	0%	June 25, 2008	No	NPDES Workplan FY 2007-08	Kelley
	NASSCO/GENERAL DYNAMICS CORP. SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	100%	0%	June 25, 2008	No	NPDES Workplan FY 2007-08	Kelley
	CONTINENTAL MARITIME OF SAN DIEGO SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	100%	0%	June 25, 2008	No	NPDES Workplan FY 2007-08	Kelley
	BAE SYSTEMS SAN DIEGO SHIP REPAIR SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	100%	0%	June 25, 2008	No	NPDES Workplan FY2007-08	Kelley
	CITIES OF CARLSBAD AND VISTA SEWAGE DISCHARGE TO BUENA VISTA LAGOON	Hearing: Admin. Civil Liability	NA	100%	100%	0%	June 25, 2008	No	Admin. Civil Liability Complaint \$1,100,000	Melbourn
	<b>AUGUST 13, 2008 RB MEETING</b> San Diego Regional Board Office									
	US NAVY GRAVING DOCK SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	0%	0%	August 13, 2008	No	NPDES Workplan FY 2008-09	Kelley

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

DATE OF REPORT May 14, 2008	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
	USMC CAMP PENDLETON DISCHARGE TO OCEANSIDE OCEAN OUTFALL	NPDES Permit Reissuance	80%	100%	0%	0%	August 13, 2008	No	NPDES Workplan FY 2008-09	Kelley
	IDEC PHARMACEUTICALS--OCEANSIDE DISCH. TO OCEANSIDE OCEAN OUTFALL	NPDES Permit Reissuance	0%	100%	0%	0%	August 13, 2008	No	NPDES Workplan FY 2008-09	Kelley
	NPDES GENERAL PERMIT HYDROSTATIC TESTING AND POTABLE WATER DISCH.	NPDES Permit Reissuance	NA	0%	0%	0%	August 13, 2008	No	NPDES Workplan FY 2006-07	Mata
	HUBBS RESEARCH FACILITY CARLSBAD AGUA HEDIONDA LAGOON	NPDES Permit Reissuance	100%	80%	90%	80%	August 13, 2008	No		Becker
	CITY OF SAN MARCOS CREEK FLOOD CONTROL PROJECT	401 WQ Certification	100%	100%	0%	0%	August 13, 2008	No		Porter
	CITY OF ESCONDIDO WASTEWATER DISCHARGE VIOLATIONS	Hearing: Admin Civil Liability	NA	NA	100%	0%	August 13, 2008	No	Admin. Civil Liability Complaint \$1,797,150	Stewart
	<b>SEPTEMBER 10, 2008 RB MEETING</b> San Diego Regional Board Office									
	CITY OF SAN DIEGO POINT LOMA OCEAN OUTFALL PACIFIC OCEAN	NPDES Permit Reissuance	90%	100%	0%	0%	September 10, 2008	No	NPDES Workplan FY 2007-08	Kelley
	OCEAN DISCHARGER RECEIVING WATER MONITORING PROGRAM UPDATES	NPDES Permits Revisions	NA	50%	0%	0%	September 10, 2008	No		Positumus
	<b>NOVEMBER 12, 2008 RB MEETING</b> San Diego Regional Board Office									
	PADRE DAM MUNICIPAL WATER DISTRICT SANTEE RECLAMATION FACILITY	NPDES Permit Reissuance	0%	100%	0%	0%	November 12, 2008	No		
	<b>UNSCHEDULED ACTION ITEM</b>									
	ORANGE COUNTY MUNICIPAL STORM WATER PERMIT	NPDES Permit Reissuance	100%	80%	80%	0%		No		Smith
	2008 FED. CLEAN WATER ACT SEC. 303(d) LIST OF WATER QUALITY SEGMENTS	Adoption: CWA 303(d) WQ List	NA	NA	10%	0%		No		Hammer
	PROPOSED GREGORY CANYON LANDFILL NORTH SAN DIEGO COUNTY	Hearing: New WDRs	100%	85%	90%	0%		No		Tamaki



## **Lake Poway: The City of Poway's Pollution Prevention Success Story**

In October 2007, the Witch Creek Fire burned more than 7,000 acres in Poway, including the area around Lake Poway. Most of the area around Lake Poway is dedicated natural habitat, and the Lake serves as the reservoir for the City's water supply. Recognizing that runoff of ash, silt, and debris from the burned hillsides had the potential to cause great damage to the Lake, aquatic life, and the City's water supply, City staff acted quickly to implement erosion control measures.

While the fire was still smoldering, the City of Poway implemented an aggressive strategy to protect both the City's water supply and the environment. On October 24, 2007, an emergency contract with Ground Service Technology, an erosion control company, was signed and crews began working the same day. The strategy called for three types of Best Management Practices (BMPs) to be used to prevent pollution from entering the Lake: gravel bag check dams, hydro-seeding, and a turbidity curtain.

### **Gravel Bag Check Dams**

Crews installed 50 gravel bag check dams at various locations to keep debris, sediment, and other pollutants from entering the Lake. More than 100,000 burlap bags were filled with gravel and used to construct the dams. The dams were then covered with a reinforced silt fence to hold the bags in place against the force of rushing water, which occurred during rain events.



### **Hydro-seeding**

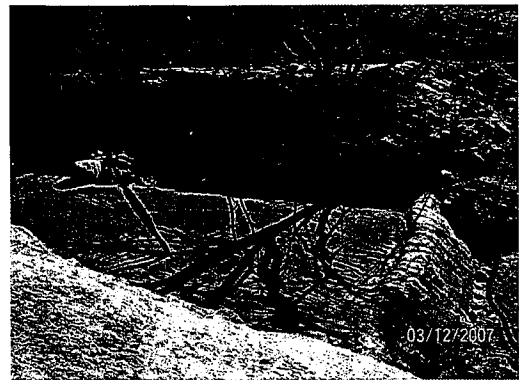
The second action taken was to spray a bonded fiber matrix across approximately 20 acres of the lower hillside around the Lake. This mulch-like material contained an adhesive and a seed mix. It helped hold the soil on the hillside until native plants, including those in the seed mix, could grow sufficiently to create a biofilter around the Lake. You can see the bonded fiber matrix in the photo above – it's the green substance on the ground.

### **Turbidity Curtain**

The third step was to install a turbidity curtain in the Lake, as the last line of defense to ensure water quality. The curtain is roughly a mile long, and consists of plastic sheeting held up by a flotation device at the top, and weighted at the bottom. The turbidity curtain creates a wall in the water that restricts pollution from entering into the main body of the Lake.

## **Results**

These efforts were extremely effective. After the first heavy rains, the check dams were largely filled with debris. Whatever debris got past the check dams was captured by the turbidity curtain. The turbidity curtain drew a distinct line around the Lake, holding debris near the shore; the water was notably cleaner on the other side.



Each time after it rained, crews would clear the debris and if necessary complete maintenance on the turbidity curtain and check dams. The turbidity curtain was adjusted to maintain proper placement and function. The stockpiles of debris that were removed have been covered with plastic and surrounded by straw wattles to protect them from rain and wind erosion, until final disposition. Care was taken during debris removal to disturb as small an area as possible, and much of the work was done by hand.

Visitors to the Lake can now see signs of life returning to the hillsides. Green grasses and colorful wildflowers cover the slopes, providing stability to the slopes and filtering rainwater as it runs toward the Lake. The amount of debris caught by the check dams during each rain event continues to decrease.

Once these devices are no longer needed to protect the Lake, they will be removed, and the area will be restored to its original state. Lake Poway will continue to serve its many functions: community park, natural habitat, and water supply for the residents of Poway.

## **Investment**

To date, the City of Poway has spent \$1,136,179 for erosion control work made necessary by the Witch Creek Fire. FEMA has approved \$1,042,714 for reimbursement. Of that amount, FEMA will pay 75% of the cost, the State Office of Emergency Services will pay 18.75%, and the City is responsible for the remaining 6.25%.

Later this spring, FEMA and the State Office of Emergency Services will present the City with \$977,509 in reimbursement for erosion work done after the Witch Creek Fire. We anticipate that the City of Poway will receive additional reimbursements later this year.

## **Contact**

For more information on the City of Poway's erosion control activities, please contact Danis Bechter, Engineering Inspection Supervisor/NPDES Coordinator at: (858) 668-4630.

SANITARY SEWER OVERFLOW STATISTICS (Updated through April 30, 2008)

SEWAGE COLLECTION AGENCY	SYSTEM SIZE <sup>B</sup> Miles	NO. OF SEWAGE SPILLS (LISTED BY FISCAL YEAR (FY) - JULY 1 THROUGH JUNE 30)					SPILLS PER 100 MILES (LISTED BY FY)					SPILL VOLUME 2007-08 <sup>A</sup> GAL	NO. OF PRIVATE SPILLS <sup>D</sup> 07-08	VOLUME OF PRIVATE SPILLS GAL			
		02-03	03-04	04-05	05-06	06-07 <sup>A</sup>	07-08 <sup>A</sup>	02-03	03-04	04-05	05-06				06-07 <sup>A</sup>	07-08 <sup>A</sup>	
ORANGE COUNTY:																	
EL TORO WD	65.1	1	3	3	2	1	1	1	1.8	5.5	5.5	3.6	1.5	1.5	20	0	0
EMERALD BAY SERVICE DISTRICT	6.5	0	0	0	0	0	0	0	0.0	0.0	16.7	0.0	0.0	15.4	10	0	0
IRVINE RANCH WD	36.0	0	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	99.5	27	8	12	6	7	3	28.4	8.4	12.6	6.3	7.0	3.0	3.0	138,050	3	228
MOULTON NIGUEL WD	530.0	1	2	5	1	1	2	0.2	0.4	0.9	0.2	0.2	0.4	0.4	1,150	2	420
SAN CLEMENTE, CITY OF	185.0	7	2	7	5	7	3	3.9	1.1	3.9	2.8	3.8	1.6	1.6	1,975	6	577
SAN JUAN CAPISTRANO, CITY OF	548.3	0	1	6	0	2	0	0.0	1.0	6.0	0.0	0.4	0.0	0.0	0	0	0
SANTA MARGARITA WD	702.0	4	5	7	4	4	5	0.7	0.9	1.3	0.7	0.6	0.7	0.7	527,234	0	0
SOUTH COAST CWD	138.2	8	7	10	3	2	1	6.1	5.3	7.6	2.3	1.4	0.7	0.7	40	5	240
TRABUCO CANYON WD	47.0	0	1	3	0	1	0	0.0	2.3	7.0	0.0	2.1	0.0	0.0	0	0	0
RIVERSIDE COUNTY:																	
EASTERN MWD	1,811.0	3	7	1	3	8	4	0.7	1.7	0.2	0.7	0.4	0.2	0.2	60,302	3	505
ELSINORE VALLEY MWD	79.6	0	1	1	1	0	0	0.0	1.3	1.3	1.3	0.0	0.0	0.0	0	0	0
MURRIETA MWD	200.0	0	1	0	0	0	1	0	4.0	0.0	0.0	0.0	0.5	0.5	220	0	0
RANCHO CA WD	81.0	0	1	1	1	2	1	0.0	1.4	1.4	1.4	2.5	1.2	1.2	15,100	0	0
SAN DIEGO COUNTY:																	
22ND DISTRICT AGRICULTURAL ASSOCIATION <sup>F</sup>	2.7	N/A	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0.0	0	0	0
BUENA SANITARY DISTRICT	197.9	2	1	0	1	0	0	2.4	1.2	0.0	1.2	0.0	0.0	0.0	0	3	657
CALIFORNIA DEPARTMENT OF CORRECTIONS <sup>E</sup>	N/A	N/A	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0.0	0	0	0
CALIFORNIA STATE UNIVERSITY, SAN MARCOSE	N/A	N/A	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0.0	0	0	0
CARLSBAD MWD	410.8	6	6	17	12	17	5	2.8	2.8	7.9	5.6	4.1	1.2	1.2	6,031	12	935
CHULA VISTA, CITY OF	460.6	3	1	13	1	3	2	0.8	0.3	3.3	0.3	0.7	0.4	0.4	1,600	15	2,860
CORONADO, CITY OF	46.9	2	5	13	11	0	2	3.8	9.4	24.5	20.8	0.0	4.3	4.3	25	4	52
DEL MAR, CITY OF	30.8	7	1	5	6	0	4	23.4	3.3	16.7	20.1	0.0	13.0	13.0	334	1	10
EL CAJON, CITY OF	195.0	3	0	3	0	3	5	1.5	0.0	1.5	0.0	1.5	2.6	2.6	230	10	195
ENCINITAS, CITY OF	119.0	6	1	5	0	1	2	5.1	0.8	4.2	0.0	0.8	1.7	1.7	675	0	0
ESCONDIDO, CITY OF	370.7	3	2	3	3	7	2	0.9	0.6	0.9	0.9	1.9	0.5	0.5	750	12	1,194
FAIRBANKS RANCH COMM SERV DIST	15.5	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
FALLBROOK PUBLIC UTILITY DIST	76.6	22	9	12	8	2	2	30.6	12.5	16.7	11.1	2.6	2.6	2.6	825	8	5,435
IMPERIAL BEACH, CITY OF	44.2	14	2	10	4	3	0	16.7	2.4	11.9	4.8	6.8	0.0	0.0	0	6	65
LA MESA, CITY OF	155.0	3	4	2	0	0	1	1.9	2.6	1.3	0.0	0.0	0.6	0.6	60	1	90
LEMONGROVE, CITY OF	62.5	4	4	3	0	0	2	5.8	5.8	4.3	0.0	0.0	3.2	3.2	130	0	0
LEUCADIA CWD	207.0	6	1	6	4	1	1	3.2	0.5	3.2	2.2	0.5	0.5	0.5	300	3	50
NATIONAL CITY, CITY OF	97.9	1	2	1	4	1	1	1.0	2.1	1.0	4.1	1.0	1.0	1.0	15,000	0	0
OCEANSIDE, CITY OF WTR UTIL DEP	475.0	23	22	17	7	9	11	5.2	4.9	3.8	1.6	1.9	2.3	2.3	108,266	2	800
OLIVENHAIN MWD	35.5	2	0	3	0	0	0	12.5	0.0	18.8	0.0	0.0	0.0	0.0	720	0	0
OTAY MWD	81.6	3	1	0	1	1	2	3.5	1.2	0.0	1.2	1.2	2.5	2.5	60	0	0
PADRE DAM MWD	246.0	3	3	1	1	1	1	2.0	2.0	0.7	0.7	0.4	0.0	0.0	0	1	300
PAUMA VALLEY COMM SERVICE DIS	11.5	0	0	0	1	0	0	0.0	0.0	0.0	12.3	0.0	0.0	0.0	0	0	0
POWAY, CITY OF	219.0	5	3	1	4	1	0	2.9	1.8	0.6	2.4	0.5	0.0	0.0	0	0	0

**SANITARY SEWER OVERFLOW STATISTICS (Updated through April 30, 2008)**

SEWAGE COLLECTION AGENCY	SYSTEM SIZE <sup>B</sup> Miles	NO. OF SEWAGE SPILLS (LISTED BY FISCAL YEAR (FY) - JULY 1 THROUGH JUNE 30)						SPILLS PER 100 MILES (LISTED BY FY)						SPILL VOLUME 2007-08 <sup>A</sup> GAL	NO. OF PRIVATE SPILLS <sup>D</sup> 07-08	VOLUME OF PRIVATE SPILLS GAL
		02-03	03-04	04-05	05-06	06-07 <sup>A</sup>	07-08 <sup>A</sup>	02-03	03-04	04-05	05-06	06-07 <sup>A</sup>	07-08 <sup>A</sup>			
SAN DIEGO COUNTY (continued):																
RAINBOW MWD	56.0	2	6	2	1	1	3	3.7	11.1	3.7	1.8	1.8	5.4	554,700	3	620
RAMONA MWD	134.0	2	2	4	2	1	1	2.4	2.4	4.8	2.4	0.7	0.7	20	2	43,020
RANCHO SANTA FE COMM SERV DIST	78.0	1	0	2	0	0	0	1.9	0.0	3.9	0.0	0.0	0.0	0	0	0
SAN DIEGO CO, PUBLIC WORKS	289.9	11	2	4	5	2	5	2.9	0.5	1.1	1.3	0.7	1.7	2,260	5	715
SAN DIEGO, CITY OF, MWWD	5,004.0	193	115	95	71	85	66	6.7	4.0	3.3	2.5	1.7	1.3	437,556	75	13,033
SAN DIEGO STATE UNIVERSITY <sup>E</sup>	9.0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0.0	0	0	0
SOLANA BEACH, CITY OF	45.0	1	6	1	0	0	0	1.9	11.5	1.9	0.0	0.0	0.0	0	0	0
UNIVERSITY OF CALIFORNIA, SAN DIEGO <sup>E</sup>	30.0	N/A	N/A	N/A	N/A	1	1	N/A	N/A	N/A	N/A	3.3333	3.3	20		
USMC BASE, CAMP PENDLETON	217.0	23	14	14	15	18	21	11.9	7.2	7.2	7.7	8.3	9.7	51,313	0	0
US NAVY	122.8	12	11	0	10	14	2	9.8	9.0	0.0	8.1	11.4	1.6	1,440	0	0
US MARINE CORPS RECRUIT DEPOT <sup>E</sup>	6.5	N/A	N/A	N/A	N/A	1	3	N/A	N/A	N/A	N/A	15.385	46.2	202		
VALLECITOS WD	260.0	5	4	9	4	1	1	2.5	2.0	4.5	2.0	0.5	0.4	7	4	99
VALLEY CENTER MWD	70.0	3	1	0	0	1	0	6.3	2.1	0.0	0.0	1.4	0.0	0	0	0
VISTA, CITY OF	416.8	4	7	15	5	4	4	2.0	3.5	7.6	2.5	1.0	1.0	5,095	4	167
WHISPERING PALMS COMM SERV DIS	25.0	1	0	0	0	0	0	5.8	0.0	0.0	0.0	0.0	0.0	0	0	0
<b>REGION 9 TOTAL</b>	<b>14,855</b>	<b>427</b>	<b>275</b>	<b>266</b>	<b>201</b>	<b>214</b>	<b>171</b>							<b>1,931,720</b>	<b>190</b>	<b>72,267</b>
<b>AVERAGE<sup>1</sup></b>								<b>4.4</b>	<b>2.9</b>	<b>2.8</b>	<b>2.1</b>	<b>1.4</b>	<b>1.2</b>			
<b>STANDARD DEVIATION<sup>2</sup></b>								<b>7.0</b>	<b>3.4</b>	<b>4.4</b>	<b>2.6</b>	<b>3.0</b>	<b>6.8</b>			
<b>MEDIAN<sup>3</sup></b>								<b>2.4</b>	<b>2.0</b>	<b>2.5</b>	<b>1.0</b>	<b>0.6</b>	<b>0.6</b>			

<sup>A</sup> 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 September 1, 2004 through April 30, 2008. 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).

<sup>B</sup> Most of the Agencies' System Sizes are based on the online Collection System Questionnaires. The System Sizes for California State University San Marcos, US Navy, and California Department of Corrections are based on the 2003 questionnaire or are not available (N/A) because these agencies have not completed the online Collection System Questionnaires. The System Sizes for El Toro Water District and Irvine Ranch Water District are based on the 2003 questionnaire because the online Collection System Questionnaires for these agencies includes the sewage collection system in Region 8 and 9. The System Sizes includes laterals that the agencies are responsible for and may not have been included in past reports.

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

<sup>D</sup> Private spills are listed to indicate their locations. Public sewer agencies are not responsible for private property spills.

<sup>E</sup> These agencies were not regulated prior to January 2007 and thus do not have any sewage spill history from July 2002 to December 2006.

<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.

**The Department of Water Resources and  
State Water Resources Control Board Announce a  
Public Meeting for the Draft Funding Recommendations  
Prop 50 Integrated Regional Water Management Round 2 Implementation Grant Program**

The Department of Water Resources (DWR) and the State Water Resources Control Board (State Water Board) have scheduled a May 8, 2008 public meeting to present the Draft Funding Recommendations for the Proposition 50, Chapter 8 Integrated Regional Water Management (IRWM) Round 2, Implementation Grant Program and receive public comments.

- The public meeting will be held in the Cal EPA Building, Byron Sher Auditorium, 2<sup>nd</sup> Floor, 1001 "I" Street, Sacramento. The public meeting can be viewed beginning approximately 10 minutes prior to the public meeting start time via Cal/EPA Live Webcasts at:

<http://www.calepa.ca.gov/broadcast/>

- The scores and Draft Funding Recommendations for the Prop 50, Step 2 Implementation proposals are provided on the attached table. Additionally, scores and funding recommendations are posted on the following websites:

[http://www.grantsloans.water.ca.gov/grants/irwm/integregio\\_news.cfm](http://www.grantsloans.water.ca.gov/grants/irwm/integregio_news.cfm)

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/irwmgp/irwm\\_imple.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/irwmgp/irwm_imple.shtml)

- Proposal evaluations can be viewed via the Financial Assistance Application System Tool (FAAST) Public Search Tool on the following website:

<https://faast.waterboards.ca.gov/publicproposalssearch.asp>

**OPEN HOUSE**

**May 8, 2008**

**1:00 to 2:15 PM**

**1:00 PM to 2:15 PM – Open House**

DWR and State Water Board staffs will be available to answer questions regarding the Prop 50 review and evaluation process for the Step 2 Implementation proposals. Grant applicants will have an opportunity to provide comments on the evaluations or scores later during the public comment period.

**PUBLIC MEETING AGENDA**

**May 8, 2008**

**2:30 to 4:00 PM**

**2:30 to 3:00 PM – Presentation of Draft Funding Recommendations**

DWR and State Water Board staffs will provide a summary of the process leading to the Prop 50, Round 2, IRWM Draft Funding Recommendations. The public meeting can be viewed beginning approximately 10 minutes prior to the public meeting start time via Cal/EPA Live Webcasts at: <http://www.calepa.ca.gov/broadcast/>.

**3:00 to 4:00 – Public Comment Period**

DWR and the State Water Board will solicit public comments at the meeting from grant applicants, stakeholders and the public. For those who are viewing the public meeting via Cal/EPA Live Webcasts, comments can be sent to [scouch@waterboards.ca.gov](mailto:scouch@waterboards.ca.gov) and your questions will be addressed at the meeting, time permitting. Written comments will be accepted until 5:00 p.m. on May 15, 2008. Please e-mail comments to Mr. Scott Couch, State Water Board at [scouch@waterboards.ca.gov](mailto:scouch@waterboards.ca.gov) or mailed to 1001 I Street, 16<sup>th</sup> Floor, Sacramento, CA 95814.



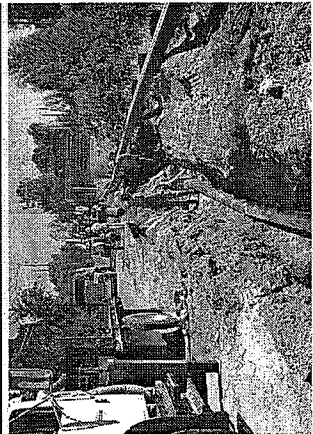
Integrated Regional Water Management Implementation Grant, Round 2, Step 2  
**DRAFT Funding Recommendations**

Step 2 PIN #	Applicant	Score	Recommended Award	Recommended Funding Agency
13113	County of Humboldt	72	\$0 to \$2,079,598	DWR*
13122	Kings River Conservation District	65	\$6,064,375	SWRCB
13105	San Diego County Water Authority	63	\$20,675,000 to \$25,000,000	DWR*
13066	Santa Barbara County Water Agency	62	\$25,000,000	SWRCB
13132	County of San Luis Obispo	60	\$0	-
13079	County of Orange	60	\$0	-
13133	Antelope Valley State Water Contractors Association	58	\$0	-
13107	Tomales Bay Watershed Council Foundation	57	\$0	-
13104	Nevada Irrigation District	52	\$0	-

Note: \* DWR funding recommendations contingent upon approval of FY2008-09 budget proposal authorizing additional Proposition 50, Chapter 8 funding for IRWM grant program.

California Financing  
Coordinating Committee

# 2008 FUNDING FAIRS



Infrastructure Financing  
For the 21st Century

## CFCC MEMBERS



Department of  
Public Health



State Water Resources  
Control Board



Department of Housing and  
Community Development



US Department  
of Agriculture  
Rural Development



California  
Infrastructure and  
Economic  
Development Bank



Department of  
Water Resources

## WHAT IS THE CFCC?

The California Finance Coordinating Committee (CFCC) was formed in 1998 and is made up of six funding agencies; five are state and one is federal. CFCC members facilitate and expedite the completion of infrastructure projects by helping customers combine resources of different agencies. Project information is shared between members so additional resources can be identified. CFCC members conduct statewide trainings each year to educate the public and potential customers about the different member agencies and financial and technical resources currently available.

Find more information at: [www.cfcc.ca.gov](http://www.cfcc.ca.gov)

## PURPOSE OF FUNDING FAIRS

The CFCC funding fairs are free and provide members of the public and infrastructure development professionals with up-to-date information on current funding for different types of projects. Project funding from CFCC agencies can be in the form of grants or loans depending on the program. Interested parties attending a funding fair are provided with a CFCC handbook and informational handouts describing financial and technical assistance resources currently available. The handbook provides staff contact information, a project matrix that shows funding sources by project type and copies of all the PowerPoint presentations given by members. Attendees of the funding fair will be able to "network" with persons who have similar experiences with project development as well as CFCC professional staff.

## WHO SHOULD ATTEND

Public works and local government representatives including city managers and planners, economic development and engineering professionals, officials from privately owned facilities, financial advisors and project consultants.

## 2008 FUNDING FAIR PARTNERS

The CFCC is pleased to announce that the California Rural Water Association will provide morning refreshments (excluding West Sacramento).

We would also like to thank the following for providing this year's funding fair sites:

- County of Riverside
- City of Anderson
- City of Visalia
- California Dept. of General Services

**CFCC FUNDING FAIRS 2008**

**February 26, 2008 – Riverside**  
 Riverside County Workforce Development Center,  
 1153 Spruce Street, Riverside, CA 92507  
 Conference Rooms 1, 2, and 3

**March 12, 2008 – Anderson**  
 City Hall – Community Room, 1887 Howard Street,  
 Anderson, CA 96007

**April 23, 2008 – Visalia**  
 Visalia Convention Center, 303 E. Acequia Avenue,  
 Visalia, CA 93291

**May 6, 2008 – West Sacramento**  
 California Department of General Services,  
 Ziggurat Building Auditorium, 707 3rd Street,  
 West Sacramento, CA 95605

Directions are available at [www.cfcc.ca.gov](http://www.cfcc.ca.gov)

**AGENDA**

- 8:30 a.m. to 9 a.m. .... Check in
- 9 a.m. to Noon. .... Member presentations
- Noon to 1 p.m. .... Lunch on your own
- 1 p.m. to 4 p.m. .... Discuss your projects

**WHAT HAPPENS AT A FUNDING FAIR?**

The morning of each funding fair is spent listening to presentations from each of the different funding agencies. Agency staff will describe funding programs available for different types of projects and the application process for accessing the funds. Participants may ask questions of staff during the presentations. In the afternoon participants can sit down "one-on-one" with each of the different funding agencies to review any proposed projects. The project can be evaluated and direction given as to availability of funding and steps needed to submit an application. By providing this direct technical assistance around the state, the CFCC hopes to encourage project developers, large or small, to discuss proposals with CFCC staff.

**EXAMPLES OF CFCC PROJECTS**



Community Wellness Center Project, developed by Del Norte Healthcare District in Crescent City. This center was just completed in the Summer of 2007. It is a state of the art 21,000 sq. ft. clinic which replaced a clinic facility that was substandard and under-sized for the demand of the community. Cost of the project was seven million dollars. It was funded with three million dollars in USDA Rural Development loan funds, one million dollars in State Community Development Block Grant (CDBG) funds and three million in funds from the health care district.



Sewage Collection and Treatment System, developed by Spaulding Community Service District (CSD). The CSD passed an assessment district to raise revenue for the system's construction. The district obtained a loan of ten million dollars and a one million dollar grant from USDA Rural Development. A two million dollar grant was obtained from the State Water Resources Control Board. Over one million dollars of State CDBG funds were used to pay assessments of low income residents and to pay for private sewer laterals and abandonment of existing septic systems. This photo is one of the treatment ponds.



Historic Downtown Revitalization Street Improvement Project, located in the City of Novato. The city received a loan of 3.7 million dollars from the California Infrastructure and Economic Development Bank to install these streetscape improvements in its downtown. The improvements were part of a historic preservation and revitalization effort. The project consisted of street resurfacing, installation of wider pedestrian sidewalks, on-street parking, upgrades to storm drainage, lighting and irrigation, and the installation of landscaping and street furnishings.

**Other Eligible Projects**

Firehouses, trucks and emergency response vehicles are typically eligible for funding under CFCC Community Facilities programs.

**REGISTRATION**

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Name: \_\_\_\_\_ Title: \_\_\_\_\_ Organization: \_\_\_\_\_

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## Officials only scratch surface of abandoned mines in county

By Dana Wilkie  
U-T WASHINGTON BUREAU

April 21, 2008

It may seem quaint – the collection of old buildings and shafts seven miles from Julian that represents the remnants of gold mining in San Diego County.

And it may seem inviting – the journals and pictures that tell the history of the nearly half-mile of underground workings that lie below.

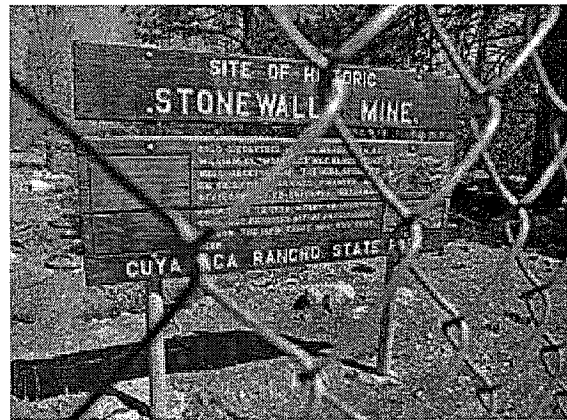
But what unsuspecting visitors may not know when they stop at the old Stonewall Mine is that authorities have designated it as one of the most hazardous abandoned mines in the state because the stability of its tunnels and other excavations is questionable.

There are an estimated 670 abandoned mines across San Diego County. There could be more – some posing risks to the public – that authorities don't know about. That's because the state and federal governments lack the manpower to inventory them properly, as well as the money to close or secure those they have identified.

"Cars have literally driven into abandoned mines," said Cy Oggins, acting assistant director of the California Department of Conservation's Office of Mine Reclamation. "There are air hazards. We have incidents of people scrambling on to quarry walls and falling."

San Diego County has a rich mining history, particularly in the Julian and Pine Valley areas. Gold was mined primarily from 1870 to 1900, copper during World War I and tungsten during World War II.

Of the abandoned mines in San Diego County – there are 47,000 across the state and more than a half-million nationwide – authorities have located at least 10 that pose physical hazards, seven of which they've ranked among their highest priority. There are roughly 400 mines in California on this list.



PEGGY PEATTIE / Union-Tribune  
Stonewall Mine in Cuyamaca Rancho State Park has been singled out by officials as one of the most hazardous abandoned mines in the state.

"Would you want to walk into a building that hadn't been occupied or maintained in a century?" asked Donald Drysdale, spokesman for the Department of Conservation. "Never mind the chances of the thing collapsing. What about finding critters like rattlesnakes inside?"

Abandoned mines can be dangerous for two reasons:

- Minerals such as mercury, chromium and asbestos can pollute drinking water, crops and fish. Authorities have not located mines in the San Diego area that have caused pollution.
- They can also pose physical hazards. Mines are inherently unstable. Adits, or horizontal shafts, can collapse without warning. Vertical shafts can plunge hundreds of feet. Many of the dangers are underground, where people can come across bad air, unstable tunnel supports, mountain lions or snakes.

The Department of Conservation assigns mines a hazard ranking ranging from 1 to 5, with 5 representing the greatest hazard. Seven of the San Diego County mines have received rankings of 4 or 5.

For instance, there's an abandoned gold mine at Granite Mountain nine miles from Julian in Anza-Borrego Desert State Park. It is perhaps a half-mile from the nearest road. But because there are so many ways to get in – it has six horizontal openings and two vertical shafts – authorities have designated it a high risk.

"It is still accessible and still in a park, not on private land where it's behind a fence," said Sarah Reeves, engineering geologist for the Office of Mine Reclamation.

People visit the abandoned Stonewall Mine seven miles from Julian in Cuyamaca Rancho State Park. The shafts are fenced off, but fencing is often vandalized, authorities point out. And while it is safe to enter the mine's buildings to look at the photos and journals, they say, there is evidence that parts of the underground excavations have collapsed or are unstable, officials say. Sometimes, Reeves said, underground collapses can lead to surface sinkholes.

#### **Amid subdivisions**

The J.B. Unlimited Quarry in San Marcos is well-observed by housing developments. Carl Blaisdell, the city's director of building and safety, says this 2-to 3-acre parcel south of Lake San Marcos and northeast of the intersection of San Elijo Road and Melrose Drive was a mining operation during the 1950s and 1960s.

State authorities consider it a significant hazard. It has high vertical walls, and pictures from a few years ago show it was a dumping ground for the rusted shells of cars, electronics and other hazardous materials. The top of the wall had no barricades at the time and could be reached by a dirt path used by motorcyclists, state authorities said.

City officials say the debris is either gone or was long ago covered by brush. They say fences now separate the wall's edge from roads or pedestrians.

State authorities point out that their most recent list of hazardous mines – updated in April 2007 – may not reflect changes or cleanups during the past year.

Other high-hazard mines, state and federal officials said, are: Hilton Mine 28 miles from Borrego Springs; Anchor Prospect three miles from Pine Valley; Noble Mine four miles from Pine Valley; and the Pronein Group mine eight miles from Julian. Less hazardous, but still dangerous, are the Gold Standard mine five miles from Pine Valley and the Last Chance and Prosperity mines seven miles from Julian.

In the past two years, eight accidents at abandoned mines were reported in California. Four people were killed and seven were injured. None of the accidents occurred in San Diego County. They involved all-terrain vehicles, hikers and cars.

There have been other deadly incidents. At the abandoned Blue Light Mine in the Santa Ana Mountains six years ago, two brothers suffocated after diving into a pool and coming up in a cavern that had little oxygen. Three years ago, a young Mission Viejo man fell to his death after riding his motorcycle into a 700-foot-deep mine shaft in San Bernardino County.

While mine accidents typically happen in remote areas, a 30-foot shaft suddenly caved in a decade ago beneath the carport of a home in downtown Oroville. Moreover, homes in the Sierra foothills have been built atop underground mines that, once they began collapsing, undermined foundations.

#### **Big job, few resources**

The state's Abandoned Mines Land Unit is relatively young at 11 years old. After the Legislature in 2006 placed a levy on gold and silver mining, the agency was able to spend about \$550,000 to survey and close abandoned mines. But the nine-person office has visited only a fraction of the state's 47,000 mines – fewer than 3,000. The office estimates it would take 10 full-time staffers 26 years to finish inspecting all of California's mines.

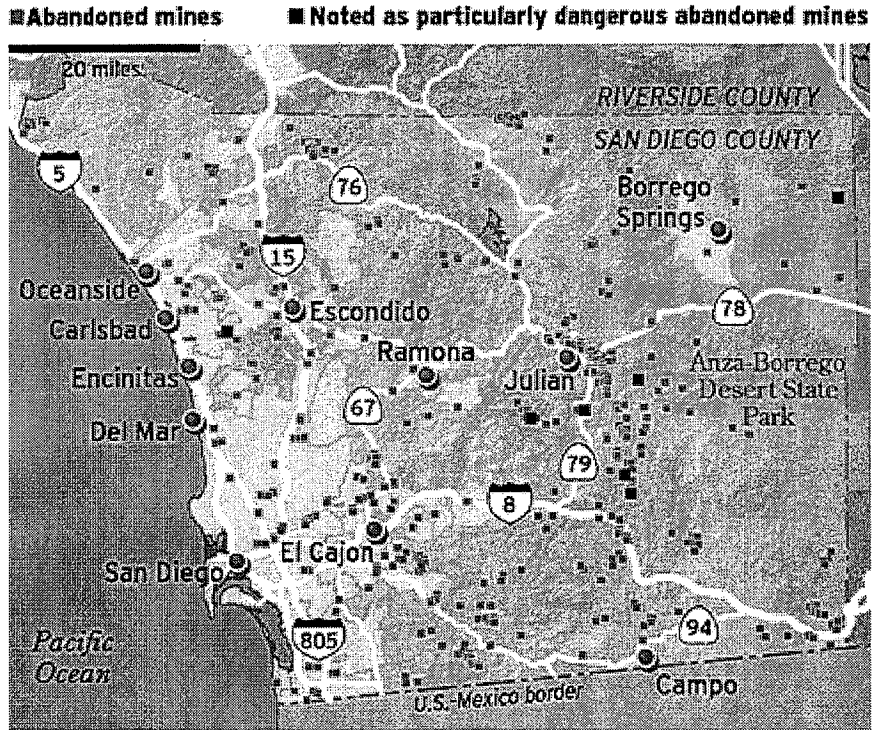
Nor are staffers convinced they've identified every mine. Because they must depend on old maps and sketchy mining documents, they believe California probably has more than 47,000.

"The problem is that we lack a reliable and steady stream of funding – and the scope of the cleanup effort is enormous," said Sen. Dianne Feinstein, D-Calif., who wrote legislation that would raise money for this cleanup, in part by placing a fee on all hard-rock mineral mining and requiring companies to pay royalties on minerals extracted from federal lands.

Luke Popovich, spokesman for the Mining Industry Association, said his organization supports the closing of abandoned mines, but not Feinstein's bill. He said some of the fees proposed in the bill would be among the highest in the world and would "not permit any economic growth in our industry whatsoever."

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■ Dana Wilkie reports for Copley News Service.



SOURCE: California Department of Conservation's Office of Mine Reclamation

AARON STECKELBERG / Union-Tribune