

# San Diego Regional Water Quality Control Board



## Executive Officer's Report

November 12, 2008

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# SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

## EXECUTIVE OFFICER'S REPORT

November 12, 2008

### PART A

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

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

On October 16, 2008, Chad Loflen, Peter Peuron, Ben James, Jody Ebsen, Kristin Schwall, Laurie Walsh and Ben Neill attended a Best Management Practices (BMP) presentation at the County of San Diego offices. The County hosts presentations approximately every month to inform regulators about new storm water BMPs. This month's presentation described a low impact development module using trees to filter and treat runoff. The filtration unit is pre-built to design storm criteria and is appropriate for retrofitting existing development.

On October 21, Chad Loflen attended the Aliso Creek Quarterly Watershed Meeting in Laguna Beach. Fellow attendees included Copermittees under the Orange County Municipal Separate Storm Sewer System (MS4) permit whose jurisdiction includes the Aliso Creek Watershed. Topics of discussion included the status of the MS4 permit reissuance, recent trash cleanups within Aliso Creek and its tributaries, enforcement actions taken, the Aliso Creek SUPER project and the Heisler Park Area of Special Biological Significance (ASBS). This meeting concluded with a tour of Heisler Park to view the recent retrofits that prevent discharges of waste to the Heisler Park ASBS. Retrofits included dry-weather diversions, the planting of drought tolerant species and upgrading of restroom facilities.

On October 23, 2008, Ben Neill attended the Riverside County Municipal Copermittees Technical Advisory Committee (TAC) meeting at the County of Riverside's office. Copermittees from both the San Diego Region (Santa Margarita Watershed) and the Santa Ana Region (Region 9) attend the monthly meetings. Presentations included a summary of the recent California Stormwater Quality Association conference. The Riverside County Flood Control District gave a status update on the pre-qualification list for their recent Request for Qualifications to perform storm water duties. The Copermittees were busy preparing their annual reports, which were due on October 31, 2008. The Copermittees briefly discussed updates in development of the San Diego Lagoons TMDL. Following the meeting, a national storm water BMP vendor gave a presentation on their products.

On October 23, Chad Loflen attended the Orange County Coastal Coalition Meeting in the City of Newport Beach. The meeting focused on the current Marine Life Protection Act (MLPA) and the process of funding projects under the renewed Measure M initiative. Calla Allison from the City of Laguna Beach gave a presentation on the MLPA and Monte Ward from the Orange County Transportation Authority spoke regarding the renewed Measure M funding. Topics of discussion regarding the MLPA included beach replenishment, evaluation of pollutants and commenting on the Draft Regional Profile for the South Coast Region. Renewed Measure M discussion focused on consideration of water quality projects for funding and potential timelines. Those in attendance included representatives from the County of Orange, municipalities and various water districts within Orange County, the Surfrider Foundation and Newport Bay Naturalists and Friends. The next Orange County Coastal Coalition meeting is scheduled for December 04, 2008 at the Newport Beach public library.

2. Western Brownfields Workshop (*Susan Pease*)

The Western Brownfields Workshop is an annual workshop for stakeholders in USEPA Regions 8, 9 and 10. This year, the workshop was held in San Diego on October 8-10 and was attended by Susan Pease, the Regional Board Brownfields Coordinator. The workshop consisted of discussions on how to work with federal, state, and local governments, and the private sector on Brownfields redevelopment projects. Breakout sessions provided discussions on innovative and creative ways to approach the special needs of Tribal Lands and Pacific Island Territories. Case studies were presented to demonstrate successful assessment and cleanup of Brownfields redevelopment projects, and on how to engage stakeholders. Sessions were available to provide assistance with the application process for grants and loans, and to provide information on how to use all available sources of funding for Brownfields projects. Updates were given on recently passed legislation for additional funding.

3. San Diego County Bar Association Lunch (*Susan Pease*)

On October 9, 2008, Susan Pease spoke at the San Diego County Bar Association Lunch about her role as the Brownfields Coordinator for the San Diego Regional Water Quality Control Board. Also speaking at the lunch was former Regional Board Member, Dan Johnson of SCS Engineers. Mr. Johnson spoke about Grants, Loans, and new Legislation for funding for Brownfields sites. Mr. Tom Cota of the Department of Toxic Substances spoke about his agency's role in Brownfields site investigation and cleanup.

4. Headwaters to Ocean Conference (*Bruce Posthumus*)

The 7<sup>th</sup> annual Headwaters to Ocean (H2O) Conference was held in Long Beach from October 28 through 30, 2008. Bruce Posthumus attended the conference as Monitoring Coordinator for the Regional Board. Almost all of the presentations at the conference were about or related to the beneficial uses and/or quality of California waters. Topics included:

- Historical ecology;

- Watershed and local planning and management;
- Marine, wetland, and riparian habitat conservation, restoration, and mitigation;
- Hydrogeomorphology and sediment management;
- Stormwater management, water supply and water quality;
- Coastal water quality;
- Marine debris;
- Water quality monitoring and assessment; and
- Public outreach and education.

Copies of the program and presentations from the 2008 conference are (or soon will be) available at the H2O Conference website, as are those from previous years. See

[http://www.websurfer.us/coastal/h2o\\_2008/2008\\_h2o\\_conference.php](http://www.websurfer.us/coastal/h2o_2008/2008_h2o_conference.php).

The conference included tributes to Dorothy Green, who passed away on October 13, 2008. Ms. Green helped found Heal the Bay, Los Angeles & San Gabriel Rivers Watershed Council, and California Water Impact Network.

The H2O Conference was organized by the Southern California Wetlands Recovery Project, Western Chapter of the Society of Wetland Scientists, California Shore and Beach Preservation Association, and California Coastal Coalition.

#### 5. Personnel Report (*DiAnne Broussard*)

The Regional Boards organizational chart can be viewed at

<http://www.waterboards.ca.gov/sandiego/misc/Visio%20Org%20Chart%203-3-2008.pdf>

#### **Departures**

Senior Engineering Geologist Mark Alpert has accepted a position in Region 1, the North Coast Regional Office headquartered in Santa Rosa, where he will supervise a timber harvest unit. Mark supervises the Compliance Assurance Unit. In addition, he has been acting Branch Chief for the Water Quality Restoration and Standards Branch since April, 2008. Mark began his career with the San Diego Regional Water Quality Control Board in June 1986 as an Engineering Geologist. He worked in the North Coast Regional Office from October 1989 until November 1992 when he returned to San Diego as a Senior Engineering Geologist. His last day in Region 9 will be November 14, 2008.

#### **Recruitment**

The Regional Board is currently recruiting for an Engineering Geologist for the South San Diego Ground Water Unit. Vacant positions for the State and Regional Boards are posted on the State Board web page at

[http://www.waterboards.ca.gov/about\\_us/employment/](http://www.waterboards.ca.gov/about_us/employment/)

#### 6. Budget Status *(DiAnne Broussard)*

The State Budget was adopted on September 23, 2008. The Governor's Executive Order freezing hiring, promotions, overtime and temp help employment remained in place. The Department of Finance directed the Water Resources Control Board to implement a \$4.3 million General Fund reduction as part of the first round of budget cuts. This was done in three phases. First, all TMDL contract allotments were moved to Division of Water Quality and \$1 million was cut. Second, \$400K in General Fund contracts and travel allotments were cut. Third, \$2.9 million of General Fund was cut from salaries and the corresponding vacant positions were swept. Region 9's share in this cut was \$147,543 and 1 py (person year). The cuts were spread across the National Pollutant Discharge Elimination System, Basin Planning, Total Maximum Daily Load and Site Cleanup Programs.

During a second round of budget cuts the CalEPA Agency Secretary agreed to another reduction in the General Fund in the amount of 420K. Region 9 anticipates our share in this cut to be between \$20,000 and \$30,000. As a result we are now exempt from the hiring freeze. However, the Budget Office will continue to review all requests to hire new employees, to promote current employees and to re-hire temp help employees to insure that the Regions and Organizations do not overspend their allocations this fiscal year.

All operating expenses are subject to pre-approval by the Budget Office. We must request authorization to purchase office supplies and equipment, to attend training and conferences and to contract for services. We may replace student assistants who resign but we may not hire new students to fill existing vacancies without approval from the Budget office. Cuts to other programs may be on the horizon as the State still has an \$11 billion budget gap to close.

#### 7. Industrial Environmental Association Conference *(Peter Peuron)*

On October 21 and 22, Peter Peuron, Tony Felix, Jody Ebsen, Dat Quach and John Robertus attended the Industrial Environmental Association 18<sup>th</sup> Annual Conference at the Catamaran Hotel. Various presentations on the first day of the conference were concerned with the efforts of industries to comply with recent greenhouse gas legislation (AB 32) and the push toward "green chemistry" in manufacturing. Water issues were presented on the second day of the conference, including a panel discussion in which advocates for industry critiqued the system under which regional boards and the state board operate. Various suggestions for "reforming" the system were offered. Specific criticisms included suggestions that regional boards need to apply "better science", "better economic analysis" and "more transparency".

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

1. Sanitary Sewer Overflows (SSO) August-September 2008 (*Joann Cofrancesco*)  
(Attachment B-1)

The following is a summary of the sewage spills that occurred during the period August and September 2008 that have been reported and certified by October 30, 2008. Sewage Collection Agencies now report Sanitary Sewer Overflows (SSOs) on-line at the State Water Resources Control Board's CIWQS database pursuant to the requirements of State Board Order No. 2006-0003-DWQ (*General Statewide Waste Discharge Requirements for Sewage Collection Agencies*). Reports on sewage spills are available on a real-time basis to the public from the State Board's webpage at:  
<http://www.waterboards.ca.gov/enforcement>.

From August 1 to August 31, 2008, there were 14 public SSOs in the San Diego Region that were reported on-line at the State Board's CIWQS database. These included six spills of 1,000 gallons or more and 11 that reached surface waters, including storm drains. The combined total volume of reported sewage spilled from all publicly-owned collection systems for the month of August 2008 was 22,643 gallons.

From September 1 to September 30, 2008, there were 14 public SSOs in the San Diego Region that were reported on-line at the State Board's CIWQS database. None of the spills were 1,000 gallons or more, however, four of the spills reached surface waters, including storm drains. The combined total volume of reported sewage spilled from all publicly-owned collection systems for the month of September 2008 was 4,470 gallons.

In August and September 2008, 22 discharges of untreated sewage from private laterals were reported by the collection agencies 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*). None of the spills were 1,000 gallons or more, however, eight of the spills reached surface waters, including storm drains. The combined total volume of reported private lateral sewage discharges for the months of August and September 2008 was 4,415 gallons.

Trace amounts of rainfall were recorded at San Diego's Lindbergh Field for August and September 2008. For comparison, in August and September 2007, 30 SSOs and 35 private lateral sewage discharges were reported during a period of time when 0.05 inches of rainfall was recorded at Lindbergh Field.

Attached is a table titled "Sanitary Sewer Overflow Statistics", updated through September 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/ss0.html>.

2. Sanitary Sewer Overflow, Bluebird Lift Station, City of Laguna Beach (*Jeremy Haas*)

On October 29, 2008 the City of Laguna Beach reported to the Regional Board that a sewage spill had occurred at the City's Bluebird lift station. The Bluebird lift station is the City's largest and is located within 1800 feet of the beach. The spill reached the Pacific Ocean, forcing beach closures along 2.5 miles of shoreline until the afternoon of November 4, 2008. On the morning of the spill, Joann Cofrancesco of the Regional Board's Compliance Assurance Unit (CAU) went to the site to observe the spill and response. The CAU is currently investigating the spill. Several media organizations have reported on the spill and have sought comments from Regional Board staff.

Pursuant to State Water Board Order 2006-0003-DWQ (*General Statewide Waste Discharge Requirements for Sewage Collection Agencies*), the City has provided a draft report to the State Water Board's CIWQS database. According to the City's draft report, the spill was controlled and contained into a large storm drain pipe directing the flow to Bluebird Beach and directly into the Pacific Ocean. The City's preliminary estimate is that up to 590,000 gallons of sewage may have reached the ocean. A storm drain diversion facility is located at the end of the storm drain and was placed back on-line after lift station operation was re-established. The City reported that the likely cause of the spill was due to the incorrect installation of a mechanical pipe fitting performed when the lift station was originally built in the early 1980's. A uniflange coupling was pushed apart in the drywell. A full report is being prepared by a third party engineering review.

Reports on sewage spills are available on a real-time basis to the public from the State Water Board's webpage at: <http://www.waterboards.ca.gov/enforcement>.

3. Enforcement Actions for October 2008 (*Mark Albert and Jeremy Haas*)

The following is a summary of all enforcement actions taken during the month of October 2008. During this period the Regional Board initiated 52 enforcement actions (28 Notices of Violation (NOV); 1 NOV with a required technical report; 18 Staff Enforcement Letters (SEL); 1 Investigative Order (IO); 1 Cleanup and Abatement Order (CAO) Addendum; 1 CAO Rescission; 1 Complaint for Administrative Civil Liability (ACL); and 1 ACL Complaint Withdrawal.

In addition to the summary information provided below, access to information on violations, enforcement actions, and Mandatory Minimum Penalties (MMPs) 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/water\\_issues/programs/enforcement/](http://www.waterboards.ca.gov/water_issues/programs/enforcement/)



Date	Action	Responsible Party / Facility Address
October 2008	CAO R9-2008-0074, addendum and rescission	Moritz Residence 14272 Jerome Drive, Poway
<p>On October 1, 2008, Addendum No. 1 to CAO R9-2008-0074 was issued to modify the compliance dates in the CAO to reflect the proposed timeline presented in the September 18, 2008 <i>Amended Stream Restoration Plan for Moritz Property</i> (prepared by Geosyntec Consultants). The CAO and addendum was subsequently rescinded on October 30, 2008, with the intent to reissue a new enforcement action to be considered in a public hearing on December 10, 2008.</p>		
October 1, 2008	NOV R9-2008-0114	Rainbow Municipal Water District Oak Crest Treatment Plant, Fallbrook
<p>NOV R9-2008-0114 was issued for nine violations of waste discharge requirements in Order No. 93-69 for discharges from the Oak Crest Treatment Plant, San Diego County. Noticed violations include three violations of effluent limitations in discharges to the wastewater irrigation area, failure to report flow rates on four days, and failure to report dissolved oxygen concentrations in two semi-annual periods.</p>		
October 2, 2008	Staff Enforcement Letter	Caltrans I-15 Managed Lanes Project
<p>A staff enforcement letter was issued to Caltrans, District 11 for construction storm water violations documented during an inspection on September 23, 2008. Violations included inadequate BMPs at stockpiles and contractor yards.</p>		
October 2, 2008	Staff Enforcement Letter	Carlsbad Municipal Water District, Carlsbad Water Recycling Facility
<p>A staff enforcement letter was issued to the Carlsbad Municipal Water District in response to reported violations of recycled water effluent limits in Order R9-2001-352, <i>Master Reclamation Permit with Waste Discharge Requirements for Carlsbad MWD, Carlsbad Water Recycling Facility, San Diego County</i>.</p>		

October 3, 2008	Staff Enforcement Letter	Valley Center Municipal Water District, Woods Valley Ranch Water Reclamation Facility
<p>A staff enforcement letter was issued to the Valley Center Municipal Water District for filing an incomplete monitoring report. The March 2008 monitoring report did not include monitoring data for total suspended solids, volatile suspended solids, and pH as required by the monitoring and reporting program for Order R9-1998-0009, <i>Waste Discharge Requirements and Water Reclamation Requirements for Woods Valley Ranch Water Reclamation Facility, Valley Center Municipal Water District, San Diego County</i>.</p>		
October 6, 2008	Withdrawal of ACL Complaint R9-2008-0093	South Orange County Wastewater Authority, South Coast Water District Groundwater Recovery Facility
<p>ACL Complaint R9-2008-0093 was withdrawn in response to new information regarding additional violations and planned corrective measures. The Complaint was issued for alleged NPDES effluent violations subject to mandatory minimum penalties (MMP). Additional MMP violations have been reported, and the South Coast Water District has reported that it has begun to implement a plan to sewer the effluent, which is intended to prevent further effluent violations. A revised ACL Complaint for all the MMP violations will be issued upon termination of the discharge, which is expected in January 2009.</p>		
October 7, 2008	ACL Complaint R9-2008-0033	Ametek, Inc. Former Ametek/Ketema Aerospace Manufacturing Facility 790 Greenfield Drive El Cajon
<p>ACL Complaint R9-2008-0033 was issued to Ametek Inc. for failure to comply with Cleanup And Abatement Order (CAO) R9-2002-0201, as amended, at the former Ametek/Ketema Aerospace Manufacturing Facility located at 790 Greenfield Drive in El Cajon. Liability is proposed for failure to install wells and collect ground-water samples in accordance with the CAO, failure to submit a complete Delineation Report by April 30, 2003 as required by the CAO, and failure to submit a complete Feasibility Study Report by January 16, 2004 as required by the CAO. The Complaint recommends the Regional Board impose a civil liability of \$2,269,000 for these violations. A hearing scheduled for December 10, 2008 has been postponed to a future Regional Board meeting.</p>		
October 9, 2008	NOV R9-2008-0109 And Investigative Order R9-2008-0110	MCS Civic Center Plaza, LLC , Ralph Stone and Company, Inc., and CMH Environmental Group, Mr. Terry One-Hour Cleaners Site, 431 North Escondido Boulevard, Escondido

NOV R9-2008-0109 was issued for violations of eligibility requirements and monitoring and reporting requirements in Order No. R9-2003-0111, *General Waste Discharge Requirements for Discharges of Treated Groundwater From Volatile Organic Compound Cleanup Sites to Land in the San Diego Region*. Historical disposal of dry cleaning waste from the Mr. Terry One-Hour Cleaners Site resulted in contaminated soil and ground water at and in the site's vicinity. From June 2004 through August 2006, remedial activities involved subsurface discharges of two treatment agents. IO R9-2008-0110 was issued to determine the effects of those discharges. Reports of the investigation are due to the Regional Board on December 17, 2008.

October 17, 2008	Notices of Violation	Multiple Parties, Industrial Storm Water Program
<p>Notices of violation (NOVs) were issued to 21 parties for failure to submit the 2007-2008 industrial storm water annual reports required by State Water Board Order No. 97-03-DWQ, the <i>National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with industrial Activity</i>. The Annual Reports were due to the Regional Board by July 1, 2008. These are the second NOVs issued to each facility for the violation. Since two NOVs have been sent and 60 days have passed since each facility was originally notified, each of the 21 facilities is subject to mandatory minimum penalties pursuant to California Water Code Section 13399.33.</p>		
<p><u>Facility</u>                  Mikes Recycling #1                  GMG Stone Inc                  Ultra Custom Boats                  Aztec Perlite Co                  San Diego Rotary Broom                  Rainbow Steel                  Minshew Bros Steel Const Inc                  Escamilla Marble &amp; Granite                  San Diego Northern Railway                  Healthy Times                  E &amp; E Transportation Inc                  3650 Hancock St                  Ablestik Laboratories                  Hud Mac Marine Services Inc                  Paper Recovery San Diego                  Southwest Freight Transport Inc                  Tanox West Inc                  KTech Machine Inc                  SDS Enterprising                  A &amp; D Steel Inc                  California Stone Works                  Western Construction Comp Inc                  Progressive Steel Fabricators                  San Diego Truck Body &amp; Equip                  Javo Beverage Co                  Riveras Iron Works</p>	<p><u>Location</u>                  Chula Vista                  El Cajon                  El Cajon                  Escondido                  Escondido                  La Mesa                  Lakeside                  Mission Viejo                  Oceanside                  Poway                  Ramona                  San Diego                  San Diego                  San Diego                  San Diego                  San Diego                  San Diego                  San Marcos                  San Marcos                  Santee                  Santee                  Santee                  Spring Valley                  Spring Valley                  Vista                  Vista</p>	

October 22, 2008	NOV R9-2008-0147 and Required Technical Report	Yvette Anthony Streambed at Santiago Road, Temecula
NOV R9-2008-0147 was issued for unauthorized discharges of fill and riprap to waters of the State associated with construction of a culverted stream crossing at Santiago Road, east of John Warner Road in Temecula. Pursuant to Water Code Sections 13267, a technical report describing the discharge and its effects is required to be submitted to the Regional Board by November 22, 2008.		

October 29, 2008	Staff Enforcement Letter	Pauma Valley Community Services District, Pauma Valley Wastewater Treatment Plant
A staff enforcement letter was issued for four violations of total suspended solids effluent concentrations reported pursuant to the Monitoring and Reporting program for Order R9-2006-0049, <i>Waste Discharge Requirements for the Pauma Valley Community Services District, Pauma Valley Treatment Plant, San Diego County.</i>		

October 2008	Staff Enforcement Letters	Multiple Parties, Construction Storm Water Facilities
Fourteen staff enforcement letters (SELs) were issued for violations of the Statewide General Construction Storm Water NPDES Permit (Order 99-08-DWQ) following inspections at the following facilities. Most violations cited included failure to implement and maintain adequate BMPs.		
<u>Facility</u>	<u>WDID</u>	<u>Owner</u>
Twin Oaks Valley Water Treatment Plant	937C338300	SD County Wtr Authority
Carlsbad Oaks N	937C348210	Kilroy Realty LP
Carlsbad Oaks North	937C346425	Kilroy Realty LP
Carlsbad Oaks North	937C346424	Kilroy Realty LP
Carlsbad Oaks North Lot 7	937C346487	Kilroy Realty LP
Carlsbad Oaks North Phase 1	937C330416	Techbilt Construction
Opus Point Lot 8	937C345384	Opus West Corp.
Opus Point Lot 9 and Portion of Lot 10	937C346039	Opus West Corp.
Opus Point Portion of Lot 10 & Lot 11	937C345889	Opus West Corp.
Robertson Ranch East Village	937C344227	Robertson Family Trust
Robertson Ranch Habitat Corridor	937C346284	Robertson Family Trust
Oceanside Second Senior Ctr	937C330700	City of Oceanside
Pacific Coast Business Park	937C341845	AMB DFS Pacific Coast
Sprinter Rail Project, Escondido Subdivision	937C322900	North Cnty Transit District

#### 4. Grants Update *(Laurie Walsh)*

The Regional Board is managing 22 grant-funded projects worth approximately \$39.7 million in total project costs. Most of the projects that were previously behind schedule are now in conformance with the existing grant agreements. The Regional Board Grant Managers 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.

#### **Grant Program Summary:**

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

The ASBS Grant Program makes approximately \$32 million dollars available for projects to comply with the prohibition to discharge into ASBS. A total of 17 Full Proposal Applications were received requesting a total of \$33.1 million dollars. The ASBS Task Force is currently reviewing the full proposals. Projects will be recommended for funding at the January 20, 2009 State Water Board Meeting.

Both the City of San Diego and the City of Laguna Beach were invited to submit full proposals. More information on the Proposition 84 ASBS Grant can be found at:

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

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

There is approximately \$82 million dollars available to applicants for projects designed to reduce and prevent storm water contamination of rivers, lakes, and streams. The guidelines for this grant are currently under development.

##### **Clean Beaches Initiative (CBI) Grant Program**

Clean Beaches Initiative (CBI) grant program Guidelines were adopted by the State Water Board on September 16, 2008. These Guidelines establish the process that the State Water Board will use to solicit and review proposals for Proposition 84 funds, and unused or reappropriated Proposition 13, 40 and 50 funds. The Concept Proposal (CP) applications are now being accepted. There will be two separate CP applications, one for implementation projects, and one for research projects. The first round of solicitation is anticipated to close on January 23, 2009. The solicitation will be re-opened after the CPs are processed to start the next cycle, until the funds are exhausted.

##### **CALFED Water Quality Grant Program Solicitation**

The State Water Board received 14 Concept Proposals requesting a total of \$17.4 million dollars. Approximately \$4.2 million will be available to fund projects that restore and protect the municipal and domestic beneficial uses of water in the Delta and its tributaries through the control of drinking water pollutants of concern (i.e., organic carbon, bromide, salinity, nutrients, and pathogens). The State Water Board invited five applicants to submit Full Proposals. Two full

proposals were submitted- neither from Region 9. The State Water Board will consider approving funding for projects at its November 18, 2008 meeting.

### **CALFED Watershed Grant Program Solicitations to Implement Watershed Plans**

The State Water Board received 15 Concept Proposal applications on September 17, 2008, requesting a total of \$22.42 million dollars. Approximately \$4 million is available for projects that focus on building local communities ability to effectively manage watersheds. This solicitation establishes a minimum grant amount of \$1 million and a maximum grant amount of \$4 million per project. The concept review period ended October 22, 2008.

### **CALFED Watershed Grant Program for Riparian Buffer Sizing Tool**

The State Water Board is accepting applications for development of a decision support tool to guide local land use planners in sizing riparian buffers in the Bay Delta and its tributaries experiencing the largest population growth. Up to \$500,000 will be awarded to develop a decision support tool for local land use planners to adequately size riparian buffers. A map of areas eligible for funding is now posted at

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/calfed/watershed\\_riparian.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/calfed/watershed_riparian.shtml).

Applications are due to the State Water Board by 5:00 pm on Friday, November 14, 2008. One qualified applicant will be selected to develop a riparian buffer sizing tool for watersheds in the Bay-Delta and its tributaries experiencing the largest population growth.

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

The State Water Board received 47 Concept Proposal applications on September 16, 2008, requesting a total of \$28.8 million dollars. Two proposals were submitted from the San Diego Region; one from the Zoological Society of San Diego to develop a natural wetland filtration system and outreach program at the San Diego Wild Animal Park and one from The Regents of the University of California to develop a non-point source pollution reduction program at University of California San Diego campus. Approximately \$4.5 million is available for this solicitation, with a minimum grant amount of \$250,000 and a maximum grant amount of \$1,000,000 per project. The purpose of the program is to provide funds to restore and protect the beneficial uses of water throughout the State through the control of NPS pollution consistent with completed Total Maximum Daily Loads (TMDLs) or TMDLs under substantial development.

### **Small Community Wastewater Strategy**

The Small Community Wastewater Strategy (Strategy) was included in Resolution 2008-0048, Promoting Strategies to Assist Small and/or Disadvantaged Communities with Wastewater Needs, which was adopted by the State Water Board on July 1, 2008. The Strategy provides an overview of the

problems faced by small communities and proposed solutions to address those problems. One of the goals outlined in the Strategy is to offer small and/or disadvantaged communities extended term financing as part of the State Revolving Fund (SRF) Program. More information on the SRF and the Small Community Wastewater Strategy can be found at:

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/small\\_community\\_wastewater\\_grant/strategy.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/small_community_wastewater_grant/strategy.shtml).

### **2008 Urban Drought Assistance Grant Program**

The California Department of Water Resources (DWR) has awarded \$17 million in Proposition 50 grants statewide to fund water saving programs that address California's current drought. In response to Governor Schwarzenegger's June 4 Executive Order ( <http://gov.ca.gov/press-release/9796> ) declaring drought conditions in the state and calling for immediate action, DWR expedited the funding from its Urban Drought Assistance Grant Program to fund water conservation programs throughout the state. The funds will be used for water conservation activities including rebate programs, public education and outreach, leak detection, and retrofit of systems for greater water efficiency. Of the \$17 million, \$4.5 million will go toward programs and projects in disadvantaged communities. DWR received nearly 300 applications requesting more than \$72 million.

Among the 53 applicants that were awarded grants are:

- \$2,000,000 to the Metropolitan Water District of Southern California for its California Friendly Turf Removal Pilot Program.
- \$1,997,870 to the Sacramento Regional Water Authority for implementation of a variety of water saving measures including installation of water meters, washing machine rebates and public outreach efforts.
- \$1,000,000 to the Inland Empire Utilities Agency for irrigation system retrofits.
- \$247,000 to the California Rural Water Association to help disadvantaged rural communities detect leaks.
- \$250,000 to the East Bay Municipal Utility District for a high-efficiency toilet rebate program.

The final award list is available online at:

<http://www.owue.water.ca.gov/finance/index.cfm>.

### **CLEAN WATER STATE REVOLVING FUND PROGRAM**

The Federal Water Pollution Control Act (Clean Water Act or CWA), as amended in 1987, provides for establishment of a Clean Water State Revolving Fund (CWSRF) program. The program is funded by federal grants, State funds, and Revenue Bonds. The purpose of the CWSRF program is to implement the CWA and various State laws by providing financial assistance for the construction of facilities or implementation of measures necessary to address water quality problems and to prevent pollution of the waters of the State. The CWSRF Loan Program provides low-interest loan funding for construction of publicly-owned

wastewater treatment facilities, local sewers, sewer interceptors, water recycling facilities, as well as, expanded use projects such as implementation of nonpoint source (NPS) projects or programs, development and implementation of estuary Comprehensive Conservation and Management Plans, and storm water treatment. On September 2, 2008, the State Water Board adopted Resolution 2008-0058, approving the 2008/2009 State Revolving Fund (SRF) Project Priority List (PPL).

#### 5. Beach Water Quality Monitoring *(Bruce Posthumus)*

Since 1999, county health departments have been required to monitor waters at certain coastal beaches for microbiological indicators and to close beaches and/or post notifications at and about those beaches if sanitation standards are not met. These requirements, which were established by Assembly Bill 411 (Wayne, 1997), apply only if the State provides sufficient funding to carry out such activities. On September 23<sup>rd</sup>, 2008, by a line-item veto by the Governor eliminated State funding for such activities in fiscal year 2008-09. As a result, it appeared that beach water quality monitoring and notification might be reduced. On November 4, 2008, however, the State Water Resources Control Board (SWRCB) agreed to provide funding to continue such activities for up to two years. (See

[http://www.waterboards.ca.gov/board\\_info/agendas/2008/nov/1104\\_7.pdf](http://www.waterboards.ca.gov/board_info/agendas/2008/nov/1104_7.pdf).)

The line-item veto and the SWRCB decision to provide funding were covered by a number of media reports, including the following:

<http://www.ocregister.com/articles/program-state-county-2170268-water-governor>;

<http://www.signonsandiego.com/news/metro/20080925-9999-1m25beach.html>;

<http://www.signonsandiego.com/news/metro/20081031-9999-1m31test.html>; and

<http://www.signonsandiego.com/news/metro/20081104-1157-bn04beach.html>

Both the County of San Diego and the County of Orange have websites that provide beach water quality monitoring and notification information. (See [http://www.sdcounty.ca.gov/deh/water/beach\\_bay.html](http://www.sdcounty.ca.gov/deh/water/beach_bay.html) and <http://www.ocbeachinfo.com/>.) Both of these websites provide a link to the "Beach Report Card" (see <http://www.healthebay.org/brcv2/>), produced by Heal the Bay (a non-governmental organization) in cooperation with county health departments and using the results of beach water quality monitoring conducted by county health departments.

Assembly Bill 1946 (Wayne, 2000) requires county health departments to provide information about coastal beach closures and postings to the SWRCB each month. AB 1946 also requires the SWRCB to make such information available to the public each month and to compile an annual report. Such information and reports are available at:

[http://www.waterboards.ca.gov/water\\_issues/programs/beaches/beach\\_surveys/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/beaches/beach_surveys/index.shtml).



The text of AB 411 is available at:

[http://www.leginfo.ca.gov/pub/97-98/bill/asm/ab\\_0401-0450/ab\\_411\\_bill\\_19971008\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/97-98/bill/asm/ab_0401-0450/ab_411_bill_19971008_chaptered.pdf).

The text of AB 1946 is available at:

[http://www.leginfo.ca.gov/pub/99-00/bill/asm/ab\\_1901-1950/ab\\_1946\\_bill\\_20000721\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/99-00/bill/asm/ab_1901-1950/ab_1946_bill_20000721_chaptered.pdf).

#### 6. California Wetland Monitoring Workgroup (*Bruce Posthumus*)

The National Research Council articulated the need for comprehensive wetland monitoring and assessment in its report "Compensating for Wetland Losses under the Clean Water Act" (see

[http://books.nap.edu/catalog.php?record\\_id=10134](http://books.nap.edu/catalog.php?record_id=10134)). In California, management of wetlands and streams - and regulation of activities that affect them - is the responsibility of a number of different federal and state agencies, including the State Water Resources Control Board (State Board) and the regional water quality control boards (regional boards). Some of these agencies have multiple programs that apply to wetlands and/or riparian areas. Consequently, there is also a need for standardized monitoring and assessment tools and approaches to facilitate better management of wetland and riparian resources, evaluation of program efficacy, and improved coordination and communication.

The mission of the California Wetland Monitoring Workgroup (CWMW) is to improve monitoring and assessment of wetland and riparian resources by developing a comprehensive wetland monitoring plan for California and by increasing coordination and cooperation among local, state, and federal agencies, tribes, and non-governmental organizations. The objectives of the CWMW are to:

- Develop a comprehensive wetland monitoring program for California;
- Agree upon core wetland and riparian monitoring and assessment tools and methods;
- Compile information on existing wetland monitoring programs and activities;
- Communicate wetland monitoring information to agency staff and decision makers at the federal, state, and local levels; and
- Agree among partner agencies on data sharing.

The California Wetland Tracker website (see <http://www.wetlandtracker.org/>) is proposed to be the primary mechanism for making wetland monitoring information readily available.

Although it originated separately from the California Water Quality Monitoring Council (Monitoring Council), the CWMW also functions as a subcommittee of the Monitoring Council. CWMW provided a briefing on its work at the October 15, 2008 meeting of the Monitoring Council. CWMW also coordinates with the Surface Water Ambient Monitoring Program (SWAMP) of the State Board and regional boards.

Representatives from federal and state agencies and data center management organizations participate in the CWMW. Local agencies can be represented through participation in regional teams. CWMW met most recently on October 15, 2008 in the offices of the Southern California Coastal Water Research Project in Costa Mesa. Its next meeting is scheduled for November 10, 2008 in Sacramento.

7. Proposed Gregory Canyon Landfill (*Carol Tamaki and Bob Morris*) (*Attachment B-7*)  
A San Diego Union-Tribune article (*Attachment B-7*) on October 30, 2008 reported on the status of the environmental impact report (EIR) for the proposed Gregory Canyon Landfill. The article indicated that Superior Court Judge Dahlquist is expected to issue a ruling soon to determine whether or not the addendum to the revised EIR adequately addresses the impacts on existing customers and future customers of the Olivenhain Municipal Water District from recycled water deliveries to the proposed landfill.

If Judge Dahlquist determines the addendum is adequate, Gregory Canyon Ltd. will be free to pursue permits it needs, including waste discharge requirements (WDRs), for the construction and operation of the proposed landfill.

The Regional Board is in the process of developing tentative waste discharge requirements for the proposed landfill. The Regional Board cannot take action on the tentative WDRs until the addendum to the EIR is deemed adequate by the Superior Court.

8. Marine Life Protection Act (*Bruce Posthumus*)

The Marine Life Protection Act (MLPA), signed into law in 1999, requires that the system of marine protected areas (MPAs) in California be redesigned to increase its coherence and effectiveness in protecting marine life and habitats, marine ecosystems, and marine natural heritage, as well as improving recreational, educational, and study opportunities provided by marine ecosystems. The MLPA planning process for the south coast study region (from Point Conception to the Mexican border) was initiated in June 2008. A final recommendation to the Fish and Game Commission is scheduled to be made late in 2009.

MPAs are discrete, named geographic areas designated for protection or conservation of marine life and habitat. MPAs include state marine reserves (SMRs), state marine parks (SMPs), and state marine conservation areas (SMCAs). There are forty-six existing MPAs located in the south coast study region. The following MPAs are in the San Diego region:

- a. Irvine Coast SMCA  
(located partly in the Santa Ana region and partly in the San Diego region)
- b. Heisler Park SMR
- c. Laguna Beach SMCA
- d. South Laguna Beach SMCA

- e. Niguel SMCA
- f. Dana Point SMCA
- g. Doheny SMCA
- h. Doheny Beach SMCA
- i. Buena Vista Lagoon SMP
- j. Agua Hedionda Lagoon SMR
- k. Batiquitos Lagoon SMP
- l. Encinitas SMCA
- m. Cardiff-San Elijo SMCA
- n. San Elijo Lagoon SMP
- o. San Dieguito Lagoon SMP
- p. San Diego-Scripps SMCA
- q. La Jolla SMCA
- r. Mia J. Tegner SMCA

The Irvine Coast, Heisler Park, San Diego-Scripps, and La Jolla MPAs correspond to or overlap with Areas of Special Biological Significance designated by the State Water Resources Control Board (State Board). Areas of Special Biological Significance are a subset of State Water Quality Protection Areas, which are also designated by the State Board.

The draft "Regional Profile of the MLPA South Coast Study Region" includes a chapter on "Land-Sea Interactions" that addresses water quality and discharges of wastes / pollutants. See <http://www.dfg.ca.gov/mlpa/scprofile.asp>.

Additional information about the MLPA process is available at: <http://www.dfg.ca.gov/mlpa/>. Maps of existing MPAs are available at: <http://www.dfg.ca.gov/mlpa/maps.asp>. Additional information about ASBS is available at: [http://www.waterboards.ca.gov/water\\_issues/programs/ocean/asbs.shtml](http://www.waterboards.ca.gov/water_issues/programs/ocean/asbs.shtml). Maps of existing ASBS are available at [http://www.waterboards.ca.gov/water\\_issues/programs/ocean/asbs\\_areas.shtml](http://www.waterboards.ca.gov/water_issues/programs/ocean/asbs_areas.shtml).

#### 9. Regional Board Inspection of State Route-125 Toll Road, CALTRANS and South Bay Expressway (Eric Becker)

On October 15, 2008, Eric Becker, Senior Engineer of the Southern Watershed Unit inspected the State Route-125 Toll Road (SR-125), constructed through a public/private partnership with CALTRANS and South Bay Expressway (Dischargers). Prior to road opening in November 2007, SR-125 lacked adequate vegetation in the road's post-construction BMPs to provide water quality treatment. The Regional Board notified the Dischargers of the deficiencies and they implemented interim measures to ensure the post-construction BMPs functioned until vegetation could be established. A "lessons learned" report regarding the deficiencies and Regional Board's regulatory oversight of this construction project was provided to the Regional Board in March, 2008. A copy of the report can be found at:

[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/stormwater/docs/caltrans/lessonlearned031208.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/caltrans/lessonlearned031208.pdf)

The Regional Board reinspected the SR-125 to check the status of the post-construction BMPs, including bioswales and the extended detention basins. Vegetation has now been established within the post-construction BMPs that will provide water quality treatment of pollutants from SR-125. The Regional Board noted that the lack of established landscaping and erosion control BMPs along the road's shoulders could result in the discharge of sediment during the rainy season. On November 3, 2008, the Dischargers indicated that most (over 95%) of these landscaped areas have been stabilized.

10. World Water Monitoring Day 2008 (*Lilian Busse, Eric Becker & Bruce Posthumus*) World Water Monitoring Day (WWMD) (also known as World Water Monitoring Month, since it is actually a month-long event) is an international education and outreach program intended to build public awareness and involvement in protecting water resources around the world by engaging citizens to conduct basic monitoring of their local water bodies. The 7<sup>th</sup> annual WWMD was held from September 18 through October 18, 2008. In the San Diego region, WWMD activities took place in Orange County and San Diego County.

In Orange County, the Citizen Watershed Monitors of Orange County (see <http://www.cwmoc.org/>) coordinated WWMD activities. Monitoring was conducted at five sites in the San Diego region, in Aliso Creek, Trabuco Creek, San Juan Creek, Prima Deshecha, and San Mateo Creek.

In San Diego County, the San Diego Citizen Watershed Monitoring Consortium (see <http://www.sdcwmc.org/>) coordinated WWMD activities. Monitoring was conducted at dozens of sites in the San Diego region, in a number of water bodies. A total of approximately 400 students attended WWMD events held at Kellogg Park in La Jolla on October 10 and at the Chula Vista Nature Center on October 14. At the La Jolla event, one of the speakers was Lilian Busse, with the San Diego Regional Board. Lilian gave a hands-on presentation to participants on the use of benthic macroinvertebrates in water quality testing.

WWMD is supported by a number of governmental, corporate, and non-profit entities, including Water Environment Federation, International Water Association, U.S. Geological Survey, U.S. Environmental Protection Agency, ITT Corporation, CH2M Hill, and Girl Scouts of the USA. The State Water Resources Control Board and the regional water quality control boards support citizen monitoring (also known as volunteer monitoring) through their Clean Water Team program (see [http://www.waterboards.ca.gov/water\\_issues/programs/swamp/cwt\\_volunteer.shtml](http://www.waterboards.ca.gov/water_issues/programs/swamp/cwt_volunteer.shtml)).

Additional information about WWMD is available at:  
[http://www.worldwatermonitoringday.org/About/About\\_Main.html](http://www.worldwatermonitoringday.org/About/About_Main.html).

11. State Water Board Approval of the Basin Plan Amendment to Renew and Revise the Conditional Waivers of Waste Discharge Requirements (*Wayne Chiu*)  
In October 2007, the San Diego Regional Board adopted Resolution No. R9-2007-0104 to renew and revise the conditional waivers contained in the *Water Quality Control Plan for the San Diego Basin (9)* (Basin Plan). Because renewing and revising the conditional waivers in the Basin Plan required a Basin Plan amendment, approval of Resolution No. R9-2007-0104 is required by the State Water Resources Control Board (State Water Board) and the Office of Administrative Law.

The Basin Plan amendment was heard by the State Water Board during the October 21, 2008 Board meeting. At the meeting the State Water Board members and staff discussed the waiver conditions pertaining to composting. The State Water Board is currently working with the California Integrated Waste Management Board and other agencies to develop and establish uniform statewide criteria for composting operations. Because the waiver conditions pertaining to composting contained in Resolution No. R9-2007-0104 may be inconsistent with ongoing State Water Board efforts, the State Water Board decided to disapprove the composting waiver conditions contained in Items 3.I.C., 4.I.C., 5.I.B, and 8.II.B. of Appendix D to the Basin Plan.

Except for Items 3.I.C., 4.I.C., 5.I.B, and 8.II.B. of Appendix D to the Basin Plan, the State Water Board approved San Diego Regional Board Resolution No. R9-2007-0104 at the November 4, 2008 State Water Board meeting. The State Water Board staff expects the approved resolution to be forward to the Office of Administrative Law by early December 2008 for approval of the regulatory provisions.

12. 2009 Triennial Review of Basin Plan (*Deborah Woodward*) (*Attachment B-12*)  
The San Diego Regional Board (Regional Board) initiated its 2009 Triennial Review of the San Diego Basin Plan on October 31, 2008 (*Attachment B-12*). The periodic review and update of Basin Plans is mandated by state and federal laws. Because the reviews are required every three years under the federal Clean Water Act, they are termed "triennial reviews." The purpose of a triennial review is to review water quality standards and other aspects of the Basin Plan, and identify updates needed to keep pace with applicable regulations and policies, advances in science and technology, and physical changes within the Region.

Because the growing list of issues for the 2009 Triennial Review far exceeds the staff resources available to address them, the Triennial Review includes the prioritization of potential Basin Plan issues in need of further review and possible revision. Prioritization of issues is anticipated to require approximately eight

months. In June 2009, the Regional Board expects to hold a formal public hearing on the draft list of prioritized issues and consider adoption of a Tentative Resolution on this list. The adopted list will be used to guide Basin Plan amendments for the next three years.

The previous triennial review priority list of basin planning issues was adopted by the Regional Board in September 2004. The 2004 list consisted of the seven most highly ranked issues identified during the 2004 review. To date, three of the seven issues have been addressed through Basin Plan amendments, three are in progress, and one is on hold with State Board taking the lead. The current status of the seven priority issues, as well as the complete list of 62 issues identified, can be found on the website provided below.

The 2009 Triennial Review is an opportunity for interested parties to give the Regional Board valuable input on Basin Plan issues and priorities. A Notice of Public Solicitation Period and Workshop was sent out on October 31, 2008. Interested parties are invited to submit written comments on water quality standards or other aspects of the Basin Plan during the 70-day solicitation period from October 31, 2008 through January 9, 2009. Interested parties are also encouraged to attend a public workshop on December 8, 2008 at which an overview of the triennial review process will be presented. In January 2009, the Regional Board will develop a draft priority list of issues formulated from the comments received during the solicitation period plus issues carried over from the 2004 list. Opportunity for public review of the draft priority list will be announced at a later date.

More triennial review information, including all public notices, an electronic comment submittal form, and links to the San Diego Basin Plan and 2004 Triennial Review, is provided at:  
[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/tri\\_review.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/tri_review.shtml).

13. North County Transit District (NCTD) Sprinter Rail Update (*Kristin Schwall*)  
On December 31, 2007, the Regional Board issued Cleanup and Abatement Order R9-2007-0226 (CAO) to the NCTD for construction violations at the Sprinter Rail project. Construction began in 2006 and rail service started in March, 2008.

On September 17, 2008, representatives from NCTD met with Chiara Clemente, Peter Peuron, and Kristin Schwall of the Regional Board to give an update on compliance with the CAO. NCTD reports that construction and related activities are mostly complete. They are continuing to maintain storm water BMPs until a Notice of Termination for the site is filed and accepted. They are evaluating areas where seeds have not germinated by testing soil, adding amendments where necessary, and redesigning seed mixtures to meet soil conditions. Turf

reinforcement mats containing seeds have been installed in some swales. The bioswales have been re-designed and reconstructed.

On October 14, 2008, Peter Peuron and Kristin Schwall inspected the Sprinter Rail by riding the train. From the train, it was noted that soil is not adequately stabilized on many of the slopes. Most if not all of the locations noted had been treated with hydroseed and/or bonded fiber matrix (BFM) during the last year. However, it appears, in each case, that there has not been vegetative growth and also that there is very little residual BFM remaining.

A Change of Information form was submitted on September 3, 2008 to remove from coverage under the Construction Permit several sites which had been used as a construction storage yard and/or staging area. These sites need to be fully stabilized before terminating coverage under the permit for these areas.

14. Update on Poseidon Desalination Plant Marine Life Mitigation Plan (*Mike Porter*)

In accordance with Resolution R9-2008-0039, the Poseidon Resources Corporation's (Poseidon) Marine Life Mitigation Plan (Plan) was due to the Regional Board on October 9, 2008 for review, and subsequent Regional Board action. The Regional Board has not yet received this document. Staff contacted Poseidon to inquire about the status of submittal, and was informed that Poseidon is still working with the California Coastal Commission (CCC) to determine the conditions that will be imposed through the CCC permit. These, as well as any additional conditions imposed by the State Lands Commission lease, are an integral part to the development of a clear and comprehensive Plan.

The Regional Board plans to take no action until the conditions have been defined, so that a comprehensive plan can be proposed. The CCC is planning to take an action on the revised Plan during their December 2008 meeting. Although Poseidon has neither formally requested an extension to the Regional Board deadline nor provided any clear estimates of when they intend to submit a revised plan, it is anticipated that the revised Plan could be released to the Regional Board staff within a month of CCC approval. Assuming approval in December 2008, the revised Plan could be scheduled for consideration before the Regional Board as early as the March 2009 Board meeting.

### **PART C**

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

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

The SWRCB's Groundwater Ambient Monitoring and Assessment (GAMA) Program is continuing its implementation of the Priority Basin Project in the Borrego/Central Desert/Low Use Desert Basins study unit in the Colorado River

Region. A meeting to discuss the project details will be held on Wednesday, November 5th from 1:00 pm - 3:00 pm at the Yucca Valley Community Center, in Yucca Valley. This study area includes parts of San Bernardino, Kern, Los Angeles, Riverside, San Diego, and Imperial counties.

The main objectives of the GAMA Program are to improve ambient groundwater quality monitoring and assessment and to increase the availability of groundwater quality information to the public. Participation in the GAMA Program is voluntary. The State Water Board is implementing the GAMA Program with the US Geological Survey and Lawrence Livermore National Laboratory.

Please visit [www.waterboards.ca.gov/gama](http://www.waterboards.ca.gov/gama) for more program information, a copy of the agenda, and a map to the meeting site.

## 2. Bills of Note from the 2008 Legislative Session (*Julie Chan*)

Below is a list of notable bills affecting the Water Boards from the 2008 legislative session brought to the Governor's desk for signature. This list is divided into "Bills Signed" and "Bills Vetoed," and was compiled by Rob Egel, the SWRCB Legislative Director.

### **Bills Signed:**

*AB 1879 and SB 508 -- GREEN CHEMISTRY.* These bills establish the Green Chemistry program and require the Department of Toxic Substances Control to adopt regulations by January 1, 2011, that would establish processes to (1) identify and prioritize chemicals or chemical ingredients in consumer products that may be considered "chemicals of concern" and (2) evaluate "chemicals of concern" in consumer products and their potential alternatives to determine how best to limit exposure or to reduce the level of hazard posed by the "chemical of concern."

*AB 2222 -- GROUNDWATER CONTAMINATION.* This bill requires the State Water Board, in consultation with other state agencies, to submit a report to the Legislature by January 1, 2012, that identifies: (1) communities relying on contaminated groundwater as a primary source of drinking water; (2) the principal contaminants affecting the groundwater of those communities; and (3) potential solutions to ensuring the provision of safe drinking water supplies to these communities.

*AB 2356 -- FINANCIAL ASSISTANCE FOR SMALL, DISADVANTAGED COMMUNITIES.* This bill requires the State Water Board to assist small, disadvantaged communities that receive financial assistance from the State Water Board for wastewater collection, treatment or disposal projects by requiring the State Water Board to: (1) provide advance payments of up to \$1 million, under specified circumstances; (2) establish a process for paying invoices within 30 days of receipt; and (3) use wire transfers or other payment



procedures to expedite project payment. Additionally, the bill would allow the State Water Board, until December 31, 2013, to assess a surcharge on loans from the Clean Water State Revolving Fund (SRF), in lieu of interest on the loans, to be deposited into a newly created State Water Pollution Control Revolving Fund Small Community Grant Fund (Grant Fund). Monies from the Grant Fund would be used to provide grants for eligible wastewater collection, treatment or disposal projects that serve small communities. The bill specifies that no more than \$50 million can be deposited into the Grant Fund.

*SB 1161 -- UNDERGROUND STORAGE TANK CLEANUP FUND REAUTHORIZATION.* This bill 1) extends for five-years the sunset date of the Underground Storage Tank Cleanup Trust Fund (USTCF or Fund) Act, to January 1, 2016 and 2) reauthorizes the Orphan Site Cleanup Fund (OSCA) to provide a total of \$30 million from the USTCF to pay for the cleanup of brownfield sites that are contaminated with petroleum and where there is no responsible party (orphan sites). In addition, the bill makes various technical changes to the USTCF program.

*SB X2 1 -- BONDS--GROUNDWATER CONTAMINATION.* This bill appropriates \$820.973 million in bond funds authorized by the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to the Department of Water Resources (DWR) and the California Department of Public Health (CDPH) for a variety of water-related projects. Of this amount, this bill would allocate \$50.4 million in bond funds to CDPH for the purpose of providing grants for projects to prevent or reduce the contamination of groundwater that serves as a source of drinking water, including \$2 million to contract with the State Water Board to develop pilot projects in the Tulare Lake Basin and the Salinas Valley to address nitrate contamination. In addition, among its provisions, this bill would enact the Integrated Regional Water Management Planning (IRWMP) Act and establish standards and guidance for IRWMP grant programs.

**Bills Vetoed:**

*AB 1946 -- ENFORCEMENT.* This bill would have made various changes in state law pertaining to the enforcement of water quality laws, including allow Regional Water Boards to delegate to their Executive Officers the authority to refer judicial enforcement matters to the Attorney General and repealing provisions of existing law that require the Water Boards to hold a hearing prior to referring a case to the Attorney General.

*AB 2270 -- WATER RECYCLING/WATER SOFTENERS.* This bill would have established existing recycled water "goals" as "statewide targets" and would have required: (1) the DWR, beginning in 2013, to include the recycled water targets in the State Water Plan; (2) any person that is authorized to supply or distribute recycled water, to annually report to the State Water Board on the amount of recycled water supplied; (3) DWR and the State Water Board to promote the

California Water Plan policies related to water use efficiency in the priorities for awarding State water management grants and loans. This bill also would have enabled local agencies to control salinity inputs to their sewer system, including those from residential self-regenerating water softeners, under certain conditions.

*AB 2986 -- WASTEWATER TREATMENT PLANT/SSO GRADING SYSTEM.*

Among other things, this bill would have required the State Water Board to develop a performance letter grade ranking for all sewer systems and sewage treatment plants that are subject to waste discharge requirements (WDR); and assign letter grades to each sewer system, combined sewer systems, and sewage treatment plants.

*SB 1391 -- RECYCLED WATER.* This bill would have required the State Water Board to adopt a statewide recycled water policy by January 31, 2009, and make recommendations for any statutory changes necessary to implement that policy.

*SB 1574 -- BIODIESEL.* This bill would have exempted biodiesel fuel blends that contain 20 percent or less of biodiesel from various regulatory requirements in existing law, including requirements that manufacturers must submit independent certification that a fuel is compatible with underground storage tanks (USTs) and will not cause leakage from the USTs, prior to the new fuel being stored in a UST.

3. California Water Quality Monitoring Council/Senate Bill 1070 (*Bruce Posthumus*)

As required by Senate Bill 1070 (Kehoe, 2006), the California Environmental Protection Agency (Cal/EPA) and the Resources Agency have entered into a memorandum of understanding for purposes of establishing the California Water Quality Monitoring Council (Monitoring Council), to be administered by the State Water Resources Control Board (State Board). The membership of the Monitoring Council is intended to represent a variety of water quality related interests. Monitoring Council members are selected by the Secretaries of the Cal/EPA and the Resources Agency.

SB 1070 requires the Monitoring Council to:

- Review existing water quality monitoring, assessment, and reporting efforts; and
- Recommend specific actions and funding needs necessary to coordinate and enhance those efforts.

The Monitoring Council is also charged with preparing recommendations for development of "a cost-effective, coordinated, integrated, and comprehensive statewide network for collecting and disseminating water quality information and ongoing assessments of the health of the state's waters and the effectiveness of programs to protect and improve the quality of those waters." By December 1, 2008, the Monitoring Council is required to report to Cal/EPA and the Resources Agency with its recommendations "for maximizing the efficiency and effectiveness of existing water quality data collection and dissemination, and for

ensuring that collected data are maintained and available for use by decision makers and the public.”

SB 1070 requires the State Board, in coordination with the Monitoring Council, to develop, among other things:

- A comprehensive monitoring program strategy that can be completely implemented within ten years;
- Quality management and quality assurance plans to ensure the validity and utility of data collected;
- Methodology to compile, analyze, and integrate readily available information, including but not limited to data from discharge reports, volunteer monitoring groups, government agencies, and water quality restoration projects;
- A user-friendly data system readily accessible to the public via the Internet.

The secretary of Cal/EPA is required to conduct triennial audits of the effectiveness of the comprehensive monitoring program strategy to be developed by the State Board.

SB 1070 also requires the State Board, with the assistance of the regional water quality control boards, to implement “a public information program on matters involving water quality” and to maintain on its website a publicly accessible “information file on water quality monitoring, assessment, research, standards, regulation, enforcement, and other pertinent matters.”

The Monitoring Council has identified the availability of water quality data and assessment information as its first priority. Its goal is to develop a “theme-based” web portal that will provide access to water quality data and assessment information pertaining to the following questions:

- Is our water safe to drink?
- Is it safe to swim in our waters?
- Is it safe to eat fish and shellfish from our waters?
- Are our aquatic ecosystems healthy?
- What stressors and processes affect our water quality?

The Monitoring Council met most recently on October 15, 2008 in the offices of the Southern California Coastal Water Research Project in Costa Mesa. Its next meeting is scheduled for November 18, 2008 in Sacramento.

Additional information about the Monitoring Council is available at:

[http://www.waterboards.ca.gov/water\\_issues/programs/monitoring\\_council/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/monitoring_council/index.shtml).

The text of SB 1070 is available at:

[http://www.leginfo.ca.gov/pub/05-06/bill/sen/sb\\_1051-1100/sb\\_1070\\_bill\\_20060929\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill/sen/sb_1051-1100/sb_1070_bill_20060929_chaptered.pdf)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

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

November 12, 2008

APPENDED TO EXECUTIVE OFFICER REPORT

Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
December 10, 2008 Regional Board Meeting San Diego Regional Water Board Office							
Negative Declaration for WDRs for Skyline Ranch Country Club (Bob Morris)	Negative Declaration Adoption	NA	NA	100%	50%	Yes	
Addendum No. 1 to Order No. R9-2005-0258, Skyline Ranch Country Club LLC, Skyline Ranch Country Club (Bob Morris)	WDRs Adoption	100%	100%	100%	50%	Yes	
Genentech, Inc. Nimo Facility Oceanside - Discharge to Oceanside Ocean Outfall (Michelle Mata)	NPDES Permit Reissuance	100%	90%	90%	80%	No	
NPDES Permit Rescissions-- Frank J. Konyon Dairy, Van Ommering Dairy, Tom Van Tol Dairy, Stiefel Dairy S & S Dairy (Michelle Mata)	NPDES Permit Rescission	0%	0%	100%	50%	No	

Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
Mitigated Negative Declaration for General WDRs for Existing Dairies (Cathym Henning / Kelly Dorsey)	Negative Declaration Adoption	NA	NA	100%	0%	No	
General WDRs for Existing Dairies (Cathym Henning / Kelly Dorsey)	WDRs Adoption	NA	100%	100%	0%	No	Tentative Order No. R9-2008-130
City of San Diego Pt. Loma Ocean Outfall 301(H) Waiver Public Participation / Permit Approval Process (Melissa Valdovinos / Brian Kelley)	Information Item	NA	NA	20%	NA	No	Joint Regional Board /USEPA Staff Information Item
Hearing on Moritz Property Cleanup and Abatement Order CAO . (Chris Means)	Hearing : CAO	NA	NA	50%	0%	No	
City of San Marcos, Bradley Park Landfill (Amy Grove / Bob Morris)	Hearing: ACL	NA	NA	100%	NA	No	ACL \$56,000
Kinder Morgan Mission Valley Terminal - Discharge to Murphy Canyon Creek (Jeremy Haas)	Hearing: ACL	NA	NA	100%	75%	No	Mandatory Minimum Penalty ACL \$229,000

Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
Santa Margarita Water District, Sanitary Sewage Overflows ( <i>Joann Cofrancesco</i> )	Hearing: ACL	NA	NA	100%	30%	No	ACL \$133,190
Tijuana River Watershed-- Workshop Discussion Item On Removal of Trash And Sediment ( <i>John Robertus</i> )	Workshop or Discussion Item	NA	NA	0%	0%	No	
<b>January 21, 2009 Regional Board Meeting San Diego Regional Water Board Office</b>							
City of San Diego Pt. Loma Ocean Outfall Discharge To Pacific Ocean - Public Hearing To Consider Comments ( <i>Melissa Valdivinos / Brian Kelley</i> )	NPDES Permit Reissuance	100%	90%	0%	0%	No	Hearing on Variance Decision and NPDES Permit
<b>February 11, 2009 Regional Board Meeting San Diego Regional Water Board Office</b>							
Constructed Seawall At First St. Coronado Dewatering Discharge To San Diego Bay ( <i>Frank Melbourn</i> )	Hearing: ACL	NA	NA	50%	0%	No	Mandatory Minimum Penalty ACL \$24,000
NPDES General Permit Hydrostatic Testing and Potable Water Discharge ( <i>Michelle Mata</i> )	NPDES Permit Reissuance	NA	100%	80%	0%	No	NPDES Workplan FY 2006-07

Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
Padre Dam Municipal Water District - Santee Reclamation Facility (Melissa Valdivinos)	NPDES Permit Reissuance	100%	90%	80%	0%	No	NPDES Workplan FY 2008-09
BAE Systems San Diego Ship Repair Shipyard - San Diego Bay (Vicente Rodriguez)	NPDES Permit Reissuance	100%	90%	80%	0%	No	NPDES Workplan FY2007-08
Hubbs Research Facility Carlsbad - Agua Hedionda Lagoon (Michelle Mafa)	NPDES Permit Reissuance	100%	80%	80%	50%	No	Pending receipt of information from Hubbs Res.
NASSCO / General Dynamics Corp. - Shipyard San Diego Bay (Vicente Rodriguez)	NPDES Permit Reissuance	100%	90%	80%	0%	No	NPDES Workplan FY 2007-08
US Navy Graving Dock San Diego Bay (Vicente Rodriguez)	NPDES Permit Reissuance	100%	90%	20%	0%	No	NPDES Workplan FY 2008-09
US Navy-- Naval Base Pt. Loma - San Diego Bay (Vicente Rodriguez)	NPDES Permit Reissuance	100%	90%	80%	0%	No	NPDES Workplan FY 2007-08



Action Agenda Item	Action Type	Initial Document Application Complete	Discharge & Receiving Water Quality Limits and Monitoring Plan Known	Draft Complete	Public Review & Comment	Consent Item	Comments
US Navy--Naval Base Coronado - San Diego Bay ( <i>Vicente Rodriguez</i> )	NPDES Permit Reissuance	100%	90%	80%	0%	No	NPDES Workplan FY 2007-08
US Navy--Naval Base San Diego - San Diego Bay ( <i>Vicente Rodriguez</i> )	NPDES Permit Reissuance	100%	90%	80%	0%	No	NPDES Workplan FY 2007-08
Carlsbad Energy Center, LLS Power Brine Discharge To Pacific Ocean ( <i>Michelle Mata</i> )	NPDES Permit New	90%	80%	50%	0%	No	
Revised Bacteria Impaired Waters TMDL Project I For Beaches And Creeks ( <i>Wayne Chiu / Benjamin Tobler / Amy Mecklenborg</i> )	Hearing: TMDL Basin Plan Amendment	100%	100%	0%	0%	No	Revise TMDL for Bacti Indicators using Exceedance Days Approach. TMDL will be remanded to Regional Board in October 2008.
Initial Hearing - 2008 Fed. Clean Water Act Sec. 303(D) List Of Water Quality Segments ( <i>David Gibson</i> )	Hearing: CWA 303(d) WQ List	NA	NA	50%	0%	No	
Ametek Inc. ( <i>Laurie Walsh / John Anderson</i> )	Hearing: ACL	NA	NA	100%	NA	No	ACL Penalty \$2,265,000

SANITARY SEWER OVERFLOW STATISTICS (Updated through September 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 2008-09 GAL	SPILL VOLUME 2007-08 GAL				
		02-03	03-04	04-05	05-06	06-07	07-08	08-09	02-03	03-04	04-05	05-06	06-07			07-08	08-09		
<b>ORANGE COUNTY:</b>																			
EL TORO WD	65.1	1	3	3	2	2	2	1	0	0	1.8	5.5	5.5	3.6	1.5	1.5	0.0	0	20
EMERALD BAY SERVICE DISTRICT	6.5	0	0	1	0	0	0	1	0	0	0.0	0.0	16.7	0.0	0.0	15.4	0.0	0	10
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	0.0	0	0
LAGUNA BEACH, CITY OF	99.5	27	8	12	6	8	4	4	0	0	28.4	8.4	12.6	6.3	7.0	4.0	0.0	0	138,300
MOULTON NIGUEL WD	530.0	1	2	5	1	1	2	0	0	0	0.2	0.4	0.9	0.2	0.2	0.4	0.0	0	1,150
SAN CLEMENTE, CITY OF	185.0	7	2	7	5	7	3	1	1	3.9	1.1	3.9	2.8	3.8	1.6	0.5	0.0	150	1,975
SAN JUAN CAPISTRANO, CITY OF	548.3	0	1	6	0	4	0	0	0	0.0	1.0	6.0	0.0	0.4	0.0	0.0	0.0	0	0
SANTA MARGARITA WD	702.0	4	5	7	4	4	6	0	0	0.7	0.9	1.3	0.7	0.6	0.9	0.0	0.0	0	528,134
SOUTH COAST CWD	138.2	8	7	10	3	2	1	2	1	6.1	5.3	7.6	2.3	1.4	0.7	1.4	0.0	35	40
TRABUCO CANYON WD	47.0	0	1	3	0	1	0	0	0	0.0	2.3	7.0	0.0	2.1	0.0	0.0	0.0	0	0
<b>RIVERSIDE COUNTY:</b>																			
EASTERN MWD	1,811.0	3	7	1	3	11	5	0	0	0.7	1.7	0.2	0.7	0.4	0.3	0.0	0.0	0	91,852
ELSINORE VALLEY MWD	79.6	0	1	1	1	0	0	0	1	0.0	1.3	1.3	1.3	0.0	0.0	1.3	0.0	10,100	0
MURRIETA MWD	200.0	0	1	0	0	0	1	2	0	0	4.0	0.0	0.0	0.0	0.5	1.0	0.0	501	220
RANCHO CA WD	81.0	0	1	1	1	5	1	0	0	0.0	1.4	1.4	1.4	2.5	1.2	0.0	0.0	0	151,000
<b>SAN DIEGO COUNTY:</b>																			
22ND DISTRICT AGRICULTURAL ASSOCIATION <sup>F</sup>	2.7	N/A	N/A	N/A	N/A	1	1	0	0	N/A	N/A	N/A	N/A	N/A	0	37.0	0.0	0	30
BUENA SANITARY DISTRICT	197.9	2	1	0	1	0	0	0	0	2.4	1.2	0.0	1.2	0.0	0.0	0.0	0.0	0	0
CALIFORNIA DEPARTMENT OF CORRECTIONS <sup>F</sup>	N/A	N/A	N/A	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	N/A	0	0.0	0.0	0	0
CALIFORNIA STATE UNIVERSITY, SAN MARCOS <sup>E</sup>	N/A	N/A	N/A	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	N/A	0	0.0	0.0	0	0
CARLSBAD MWD	410.8	6	6	17	12	21	7	2	2	2.8	2.8	7.9	5.6	4.1	1.7	0.5	0.0	5,675	7,181
CHULA VISTA, CITY OF	460.6	3	1	13	1	3	3	0	0	0.8	0.3	3.3	0.3	0.7	0.7	0.0	0.0	0	1,750
CORONADO, CITY OF	46.9	2	5	13	11	13	6	2	2	3.8	9.4	24.5	20.8	0.0	12.8	4.3	0.0	70	170
DEL MAR, CITY OF	30.8	7	1	5	6	1	5	1	1	23.4	3.3	16.7	20.1	0.0	16.2	3.2	0.0	8	344
EL CAJON, CITY OF	195.0	3	0	3	0	3	5	0	0	1.5	0.0	1.5	0.0	1.5	2.6	0.0	0.0	0	240
ENCINITAS, CITY OF	119.0	6	1	5	0	1	2	0	0	5.1	0.8	4.2	0.0	0.8	1.7	0.0	0.0	0	675
ESCONDIDO, CITY OF	370.7	3	2	3	3	6	4	1	1	0.9	0.6	0.9	0.9	1.9	1.1	0.3	0.0	315	1,344
FAIRBANKS RANGH 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	0.0	0	0
FALLBROOK PUBLIC UTILITY DIST	76.6	22	9	12	8	3	2	1	1	30.6	12.5	16.7	11.1	2.6	2.6	1.3	0.0	150	825
IMPERIAL BEACH, CITY OF	44.2	14	2	10	4	5	0	0	0	16.7	2.4	11.9	4.8	6.8	0.0	0.0	0.0	0	0
LA MESA, CITY OF	155.0	3	4	2	0	0	4	2	2	1.9	2.6	1.3	0.0	0.0	2.6	1.3	0.0	1,185	1,210
LEMON GROVE, CITY OF	62.5	4	4	3	0	0	1	1	1	5.8	5.8	4.3	0.0	0.0	1.6	1.6	0.0	400	300
LEUCADIA CWD	207.0	6	1	6	4	1	1	1	1	3.2	0.5	3.2	2.2	0.5	0.5	0.5	0.0	40	40
NATIONAL CITY, CITY OF	97.9	1	2	1	4	1	1	0	0	1.0	2.1	1.0	4.1	1.0	1.0	0.0	0.0	15,000	15,000
OCEANSIDE, CITY OF, WTR UTIL DEP	475.0	23	22	17	7	13	12	1	1	5.2	4.9	3.8	1.6	1.9	2.5	0.2	0.0	108,566	108,566

**SANITARY SEWER OVERFLOW STATISTICS (Updated through September 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 2006-09 GAL	SPILL VOLUME 2007-08 GAL	
		02-03	03-04	04-05	05-06	06-07	07-08	08-09	02-03	03-04	04-05	05-06	06-07			07-08
<b>SAN DIEGO COUNTY (continued):</b>																
OLIVENHAIN MWD	35.5	2	0	3	0	1	1	0	18.8	0.0	0.0	0.0	2.8	0.0	720	720
OTAY MWD	81.6	3	1	0	1	1	1	1	3.5	1.2	0.0	1.2	1.2	1.2	60	60
PADRE DAM MWD	246.0	3	3	1	1	2	1	0	2.0	2.0	0.7	0.7	0.4	0.0	2	2
PAUMA VALLEY COMM SERVICE DIS	11.5	0	0	0	1	0	0	0	0.0	0.0	0.0	12.3	0.0	0.0	0	0
POWAY, CITY OF	219.0	5	3	1	4	2	1	0	2.9	1.8	0.6	2.4	0.5	0.5	13,200	13,200
RAINBOW MWD	56.0	2	6	2	1	1	2	0	3.7	11.1	3.7	1.8	3.6	0.0	0	14,700
RAMONA MWD	134.0	2	2	4	2	3	1	0	2.4	2.4	4.8	2.4	0.7	0.0	0	20
RANCHO SANTA FE COMM SERV DIST	78.0	1	0	2	0	0	0	0	1.9	0.0	3.9	0.0	0.0	0.0	0	0
SAN DIEGO CO. PUBLIC WORKS	289.9	11	2	4	5	3	6	0	2.9	0.5	1.1	1.3	0.7	2.1	0.0	2,310
SAN DIEGO, CITY OF, MWWD	5,004.0	193	115	95	71	63	87	19	6.7	4.0	3.3	2.5	1.7	1.7	22,035	490,815
SAN DIEGO STATE UNIVERSITY <sup>F</sup>	9.0	N/A	N/A	N/A	N/A	1	0	0	N/A	N/A	N/A	N/A	0	0.0	0	0
SOLANA BEACH, CITY OF	45.0	1	6	1	0	3	1	0	1.9	11.5	1.9	0.0	0.0	2.2	0	1,000
UNIVERSITY OF CALIFORNIA, SAN DIEGO <sup>F</sup>	30.0	N/A	N/A	N/A	N/A	1	2	1	N/A	N/A	N/A	N/A	3.3333	6.7	100	30
USMC BASE, CAMP PENDLETON	217.0	23	14	14	15	24	24	5	11.9	7.2	7.2	7.7	8.3	11.1	1,019	58,529
US NAVY	122.8	12	11	0	10	8	2	0	9.8	9.0	0.0	8.1	11.4	1.6	0	0
US MARINE CORPS RECRUIT DEPOT <sup>F</sup>	6.5	N/A	N/A	N/A	N/A	1	3	1	N/A	N/A	N/A	N/A	15.385	46.2	720	202
VALLECITOS WD	260.0	5	4	9	4	1	2	0	2.5	2.0	4.5	2.0	0.5	0.8	0	14
VALLEY CENTER MWD	70.0	3	1	0	0	1	2	0	6.3	2.1	0.0	0.0	1.4	2.9	0	200
VISTA, CITY OF	416.8	4	7	15	5	4	4	1	2.0	3.5	7.6	2.5	1.0	1.0	725	5,095
WHISPERING PALMS COMM SERV DIS	25.0	1	0	0	0	0	0	0	5.8	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>219</b>	<b>46</b>							<b>180,776</b>	<b>1,637,263</b>
<b>AVERAGE<sup>1</sup></b>									4.4	2.9	2.8	2.1	1.4	1.5	0.3	
<b>STANDARD DEVIATION<sup>2</sup></b>									7.0	3.4	4.4	2.6	3.0	8.5	2.3	
<b>MEDIAN<sup>3</sup></b>									2.4	2.0	2.5	1.0	0.6	1.1	0.0	

<sup>A</sup> As of January 1, 2007 data reflects certified reports submitted on-line as required by State Board Order No. 2006-003-DWQ (General Statewide Waste Discharge Requirements for Collection Agencies) and Regional Board Order No. R9-2007-0005 (Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region)

<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>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.



[More North County news](#)

## Ruling expected soon on Gregory Canyon landfill

By J. Harry Jones  
UNION-TRIBUNE STAFF WRITER

5:15 p.m. October 30, 2008

VISTA – A Superior Court judge is expected to issue a ruling soon that will either pave the way for the construction of the Gregory Canyon landfill or delay its 20-year odyssey toward completion indefinitely.

Judge Robert Dahlquist will rule, perhaps within a week, if an often-amended environmental report about the landfill is finally complete or if it needs to be redone to address whether an agreement for the Olivenhain Municipal Water district to supply water to the landfill for 60 years is possible.

Should Dahlquist find the report is complete, the developers of the landfill – proposed for land off state Route 76 about 3½ miles east of Interstate 15 – would be able to seek various other permits needed before construction can begin. The permits include those dealing with water quality, air pollution and biological issues.

In February, Dahlquist said the details of the water deal with Olivenhain were not complete enough in the study. He wants to make sure the water district has enough recycled water to service all its customers.

At a hearing in Dahlquist's courtroom yesterday, attorney Patrick Breen, representing the county, said an addendum to the report concludes that enough water exists.

Attorney Everett DeLano, who represents a consortium of landfill opponents, said the addendum does not meet the requirements of the state's Environmental Quality Act and that the report should be redone, including getting input from the public. That would likely take a year or longer.

Dahlquist gave no hint Thursday which way he is leaning.

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■ J. Harry Jones: (760) 737-7579; [jharry.jones@uniontrib.com](mailto:jharry.jones@uniontrib.com)

### Find this article at:

<http://www.signonsandiego.com/news/northcounty/20081030-1715-bn30greg.html>

Check the box to include the list of links referenced in the article.

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Linda S. Adams  
Secretary for  
Environmental Protection

# California Regional Water Quality Control Board San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
Recipient of the 2004 Environmental Award for Outstanding Achievement from U.S. EPA



Arnold Schwarzenegger  
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353  
(619) 467-2952 • Fax (619) 571-6972  
<http://www.waterboards.ca.gov/sandiego>

Date: October 31, 2008

TO: Interested Parties

RE: **COMMENT SOLICITATION FOR TRIENNIAL REVIEW OF THE BASIN PLAN**

### 2009 Triennial Review of the Basin Plan

The California Regional Water Quality Control Board, San Diego Region (San Diego Regional Board) is initiating its triennial review of the *Water Quality Control Plan for the San Diego Basin* (Basin Plan), and is seeking public input on the identification of basin planning issues the San Diego Regional Board should address in the next three years.

The Basin Plan is the foundation for the San Diego Regional Board's water quality regulatory programs. The Basin Plan designates beneficial uses for water bodies in the San Diego Region, establishes water quality objectives to protect those beneficial uses, contains implementation plans that describe the actions necessary to achieve water quality objectives, and describes the surveillance and monitoring activities needed to determine regulatory compliance and assess the health of the Region's water resources.

Both state and federal laws mandate the periodic review and update of Basin Plans. California Water Code section 13240 states, "Each regional board shall formulate and adopt water quality control plans for all areas within the region... Such plans shall be periodically reviewed and may be revised." Federal Clean Water Act section 303(c)(1) states, "the State water pollution control agency... shall from time to time (but at least once each three year period...) hold public hearings for the purpose of reviewing applicable water quality standards and, as appropriate, modifying and adopting standards." Because the review is mandated by the Clean Water Act every three years, it is termed a "triennial review."

The triennial review process includes a public solicitation and identification of issues that may need to be addressed through Basin Plan amendments. After public input is received, the San Diego Regional Board develops and adopts by resolution a priority list of potential Basin Plan amendments that may be accomplished during the next three years.

The triennial review presents an opportunity for interested parties to give the San Diego Regional Board valuable input on basin planning issues and priorities.

*California Environmental Protection Agency*

**Comment Solicitation Period**

Written comments (i.e., issues, concerns, or suggestions) regarding water quality standards or other aspects of the Basin Plan will be accepted during a 70-day solicitation period beginning October 31, 2008 and ending January 9, 2009. Comments received after 5:00 p.m. on January 9, 2009 will not be accepted. A copy of the Notice of Public Solicitation Period is enclosed (Enclosure 1).

**Submittal of Comments**

A comment submittal form is provided on the San Diego Regional Board's Triennial Review webpage at [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/tri\\_review.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/tri_review.shtml). When used electronically, the comment field on the form expands to accommodate unlimited text. Use of the comment submittal form is strongly encouraged. A printed copy of the form is enclosed (Enclosure 2).

Please send completed comment submittal form(s) or other written communication to:

Attn: Ms. Deborah Woodward  
Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340  
Fax: (858) 571-6972  
Email: RB9\_tri\_review@waterboards.ca.gov

Please include the words "Triennial Review" in the subject line of your communication.

**Consideration of Comments**

The two main source documents to review are the Basin Plan and the 2004 Triennial Review. Both of these documents are available on the San Diego Water Board's website: [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/index.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/index.shtml).

Comments received from the public and Regional Board staff during the solicitation period will be compiled, formulated, and carefully considered. Comments can be on new Basin Plan issues, or on issues already listed in the 2004 Triennial Review. The 2009 Triennial Review list to be developed will consist of new issues, revised issues already in the 2004 Triennial Review, and issues carried over from the 2004 Triennial Review.

As in past triennial reviews, the addition of new issues to the list of previously identified issues results in a growing list of issues that far exceeds the staff resources allocated to update the Basin Plan. Because there will be more issues than can realistically be addressed in a three year period given limited resources for basin planning, issues will be prioritized based primarily on the extent to which they will protect public health and designated beneficial uses if addressed through a Basin Plan amendment. Other factors that will be considered when identifying and prioritizing issues will include, but not be limited to, consistency with State Water Resources Control Board and U.S. Environmental

Protection Agency plans and priorities; degree of stakeholder interest and support; amount of resources invested and/or available; and geographic scope affected.

**Public Workshop**

An informational Public Workshop will be conducted by staff of the Board on Monday, December 8, 2008 from 1:30 to 3:30 p.m. in the Board Room of the San Diego Regional Board. The primary purpose of this workshop is to provide an overview of the triennial review process. The workshop is also an opportunity to provide comments on the process. Interested parties are requested to send their questions to Ms. Deborah Woodward (DWoodward@waterboards.ca.gov) prior to the workshop so that their questions can be addressed during the presentation. A copy of the Notice of Public Workshop enclosed (Enclosure 1).

Directions to the workshop are available on the "About Us" tab of the San Diego Regional Board website ([http://www.waterboards.ca.gov/sandiego/about\\_us/](http://www.waterboards.ca.gov/sandiego/about_us/)). Parking is available at the workshop. The workshop is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Ms. Lori Costa at (858) 467-2357 at least five working days prior to the workshop. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

**Important Dates and Deadlines**

<b>Public Solicitation Period opens</b>	<b>October 31, 2008</b>
<b>Informational Public Workshop (first)</b>	<b>1:30 p.m. on December 8, 2008</b>
<b>Public Solicitation Period closes; Final date for submitting comments</b>	<b>5:00 p.m. on January 9, 2009</b>

Comments received after 5:00 p.m. on January 9, 2009 will not be accepted.

**Overview of Anticipated Triennial Review Schedule**

Public Solicitation Period opens	October 31, 2008
Informational Public Workshop (first)	1:30 p.m. on December 8, 2008
Public Solicitation Period closes; Final date for submitting comments	5:00 p.m. on January 9, 2009
Draft Resolution and Staff Report available for public review	March-April 2009
Informational Public Workshop (second)	Mid-March 2009
Revised Tentative Resolution, Staff Report, and Response to Comments available for public review	May 2009
Public Hearing to consider adoption of Tentative Resolution including priority list of basin planning issues	June 2009

The San Diego Regional Board expects to hold a formal public hearing as early as June 2009 to consider adoption of a resolution that includes the priority list of basin planning issues developed during this triennial review.

**Availability of Documents**

All documents relating to the 2009 Triennial Review are available through the San Diego Regional Board's Triennial Review webpage at [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/tri\\_review.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/tri_review.shtml).

The 2009 Triennial Review public notices and comment submittal form are currently posted, and additional documents will be added to this webpage as they become available. Important source documents, such as the Basin Plan and 2004 Triennial Review, are also accessible from this webpage.

The triennial review documents may also be viewed by appointment at the San Diego Regional Board office during regular business hours, between 8 a.m. and 4:30 p.m. Monday through Friday. The office is located at 9174 Sky Park Court, Suite 100, San Diego, California 92123-4340.

**To Receive Future Triennial Review Notices and Updates**

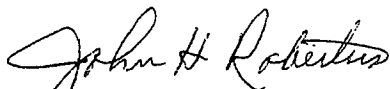
Future triennial review notices and updates will be sent only to persons who are on the "Basin Planning Issues" electronic mailing list or have asked to receive triennial review information via U.S. Mail. Therefore, to receive future triennial review communications via email, please subscribe to the "Basin Planning Issues" electronic mailing list at [http://www.waterboards.ca.gov/resources/email\\_subscriptions/reg9\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/reg9_subscribe.shtml). To receive future triennial review communications via U.S. mail, please send a written request to Ms. Deborah Woodward at [DWoodward@waterboards.ca.gov](mailto:DWoodward@waterboards.ca.gov), or to the fax or street address provided on page 2 of this letter.

**Staff Contact**

Questions regarding the triennial review may be directed to Ms. Deborah Woodward at [DWoodward@waterboards.ca.gov](mailto:DWoodward@waterboards.ca.gov) or (858) 637-5586.

Thank you in advance for your contributions to this very important process.

Sincerely,



John H. Robertus  
Executive Officer

Enclosures:

1. Notice of Public Solicitation Period and Public Workshop
2. Copy of Comment Submittal Form



**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION  
NOTICE OF PUBLIC SOLICITATION PERIOD AND PUBLIC WORKSHOP  
FOR BASIN PLAN TRIENNIAL REVIEW**

**Public Solicitation Period  
October 31, 2008 to  
January 9, 2009**

**Public Workshop  
December 8, 2008 at 1:30 p.m.  
San Diego Regional Board Office, Board Room,  
9174 Sky Park Court, Suite 100,  
San Diego, California 92123-4340**

**Triennial Review of Basin Plan**

The California Regional Water Quality Control Board, San Diego Region (San Diego Regional Board) is seeking public input on the need to review and update the *Water Quality Control Plan for the San Diego Basin* (Basin Plan). The Basin Plan designates beneficial uses for water bodies in the San Diego Region, and establishes water quality objectives and implementation plans to protect those beneficial uses. Both state and federal laws mandate the periodic review and update of Basin Plans. The periodic review is known as the "Triennial Review" because federal law requires that a state's water quality standards be reviewed every three years. The primary purpose of the Triennial Review is to review water quality standards (e.g., beneficial uses and water quality objectives) and other aspects of the Basin Plan, and determine if updates are needed to keep pace with applicable regulations, advances in science and technology, and/or physical changes within the Region.

Public participation is an important part of the Triennial Review process. This notice solicits input on issues to be considered for inclusion on the San Diego Regional Board's list of basin planning priorities. Once public input is considered, the San Diego Regional Board develops and adopts by resolution a priority list of issues that will be used to direct basin planning efforts over the next three years. Opportunity for public comment on a draft priority list will be announced at a later date. More information about the Triennial Review, with links to the Basin Plan and previous Triennial Review completed in 2004 can be found at [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/tri\\_review.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/tri_review.shtml).

**Request for Public Input**

Written comments on water quality standards or other Basin Plan issues are invited during the 70-day solicitation period from **October 31, 2008 to January 9, 2009**.

**Submittal of Comments**

Please send comments to:

Attn: Ms. Deborah Woodward  
San Diego Regional Water Quality Control Board  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340  
Fax: (858) 571-6972  
Email: [RB9\\_tri\\_review@waterboards.ca.gov](mailto:RB9_tri_review@waterboards.ca.gov)

Include the words "Triennial Review" in the subject line of your communication.

A Comment Submittal Form is provided at [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/tri\\_review.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/tri_review.shtml).

**Deadline for Comments**

The deadline for receipt of comments is Friday, **January 9, 2009 at 5:00 p.m.** Comments received after 5:00 p.m. on January 9, 2009 will not be accepted.

**Public Workshop**

An informational public workshop on the Basin Plan Triennial Review will be held:

Date: Monday, December 8, 2008  
Time: 1:30 to 3:30 p.m.  
Location: Board Room,  
San Diego Regional Board Office,  
9174 Sky Park Court, Suite 100,  
San Diego, California 92123-4340

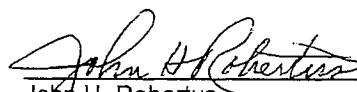
Directions to the workshop are available at [http://www.waterboards.ca.gov/sandiego/about\\_us/](http://www.waterboards.ca.gov/sandiego/about_us/). Parking is available at the workshop. The workshop facility is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Lori Costa at (858) 467-2357 at least five working days prior to the workshop. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

**To Receive Triennial Review Information**

Subscribe to the electronic mailing list at [http://www.waterboards.ca.gov/resources/email\\_subscriptions/reg9\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/reg9_subscribe.shtml) (select "Basin Planning Issues"), or request to have triennial review information sent to you via U.S. Mail (send written request to Ms. Deborah Woodward).

**Staff Contact**

For further information, please contact Ms. Deborah Woodward directly at (858) 637-5586 or [dwoodward@waterboards.ca.gov](mailto:dwoodward@waterboards.ca.gov).



John H. Robertus  
EXECUTIVE OFFICER

Dated: October 31, 2008

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**

**SAN DIEGO REGION**

9174 Sky Park Court, Suite 100  
San Diego, California 92123-4340



**2009 BASIN PLAN TRIENNIAL REVIEW  
COMMENT SUBMITTAL FORM**

Please use this form to submit comments that you would like the San Diego Regional Water Quality Control Board to consider during the Triennial Review of the Water Quality Control Plan of the San Diego Basin (Basin Plan). Of particular interest are comments about water quality standards (e.g., beneficial uses and water quality objectives), but comments about any aspect of the Basin Plan are welcome. Comments submitted through the Triennial Review process provide the public an opportunity to assist the San Diego Regional Water Quality Control Board in identifying issues that need to be addressed through Basin Plan amendments in order to best meet the water quality planning needs of the San Diego Region. For additional information about the Triennial Review process, please see the following website:  
[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/tri\\_review.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/tri_review.shtml)

If you have multiple comments (i.e., multiple issues, concerns, suggestions), please submit a separate comment submittal form for each. Completed form(s) may be emailed to [RB9\\_tri\\_review@waterboards.ca.gov](mailto:RB9_tri_review@waterboards.ca.gov); sent to the attention of Deborah Woodward at the address in the header of this form; or faxed to (858) 571-6972. Please include the words "Triennial Review" in the subject line of your communication. Deadline for submittal is **January 9, 2009 at 5:00 p.m.** Thank you for your participation!

**1. CONTACT INFORMATION:**

First Name:		Last Name:		
Organization Name:				
Address:				
City:	County:	State:	Zip:	
Telephone:		Ext:		
Email:				

**2. COMMENT TOPIC:**

*Please specify the topic of your comment. (Please try to limit topic to ten words or less.)*

**3. COMMENT:**

*Please provide a detailed description of your issue/concern/suggestion, and explain why it needs to be addressed. (There is no limit to the amount of text for the comment. The space will expand as needed.)*

**4. GEOGRAPHIC SCOPE OF COMMENT:**

Mark the box (☒) that best corresponds to the geographic scope of your comment:

<input type="checkbox"/> Entire San Diego Region	
<input type="checkbox"/> Multiple watersheds	<i>If the watersheds and/or waterbodies are known, please specify here:</i>
<input type="checkbox"/> Single watershed	
<input type="checkbox"/> Multiple waterbodies	
<input type="checkbox"/> Single waterbody	
<input type="checkbox"/> Beach or coastal waters	
<input type="checkbox"/> Other:	
<input type="checkbox"/> None of the above (comment is administrative or has no direct geographic scope)	

**5. ADDITIONAL INFORMATION ABOUT YOUR COMMENT:**

Information about the following items may help us better understand and evaluate your comment. For any that are applicable to your comment, please elaborate in the space provided. Leave blank if item is not applicable or if you are unsure.

- a. If you think a Basin Plan amendment addressing your comment would likely have widespread stakeholder support, please explain in the space below and, if known, list supportive stakeholder(s) with phone or email contact(s). *(The space will expand as needed.)*

- b. If substantial resources have been invested in developing technical information that would support a Basin Plan amendment addressing your comment, please explain in the space below. *(The space will expand as needed.)*

- c. If substantial resources are likely available to augment Regional Board resources needed to develop a Basin Plan amendment addressing your comment, please explain in the space below. *(The space will expand as needed.)*

**6. HOW TO BRING ADDITIONAL INFORMATION TO OUR ATTENTION:**

- a. If you would like to direct us to additional information that supports/supplements your comment, e.g., web address, report citation, contact person for follow-up, please give direction in the space below.  
*(The space will expand as needed.)*

- b. If you are submitting additional information that supports/supplements your comment, e.g., reports, articles, data sets, please tell us what you are sending so that once received we can link it to your comment. *(The space will expand as needed.)*

Note: Supporting information may be emailed to [RB9\\_tri\\_review@waterboards.ca.gov](mailto:RB9_tri_review@waterboards.ca.gov); sent to the attention of Deborah Woodward at the address in the header of this form; or faxed to (858) 571-6972. Please include the words "Triennial Review" in the subject line of your communication. Email can accommodate files up to approximately 15MB. If you are uncertain how best to submit additional supporting information, please call 858-637-5586.