

State of California  
Regional Water Quality Control Board  
San Diego Region

EXECUTIVE OFFICER SUMMARY REPORT  
November 14, 2007

- ITEM: 10
- SUBJECT: STATUS REPORT: San Diego Region Wildfires – Regulatory Actions and Issues. A report on Regional Board coordination of activities with Federal, State and Local agencies, issuance of conditional waivers for management and disposal of disaster related waste streams, preparation of guidance on ash handling and disposal, creation of the Regional Board Wildfire web pages providing the public with regulatory guidance and related links, and other wildfire related activities. This is an information item only and no Regional Board action will be taken (*Robert Morris, James Smith, and John Odermatt*)
- PURPOSE: To inform the Regional Board of actions taken in response to the October 2007 Wildfire devastation in the San Diego Region.
- PUBLIC NOTICE: The item was publicly noticed as part of the Regional Board agenda mailed and posted on the homepage on October 26, 2007. The agenda was posted on the Regional Board's website and has been made available through the Regional Board's office.
- DISCUSSION: On October 21, 2007, the Governor of California issued a proclamation identifying the Counties of San Diego, Orange and Riverside as disaster areas. The October 2007 wildfires burned large areas of the San Diego Region, including portions of San Diego, Riverside and Orange Counties (Supporting Document No. 1). To date the wildfires have burned close to 400,000 acres, destroyed or damaged more than 1,300 structures, and caused the evacuation of over 600,000 residents in San Diego County. As a result of the wildfire impacts, the Regional Board offices were closed on October 22 to October 24, 2007.

The San Diego Regional Board responded to this regional disaster by offering guidance, conditional waivers, and other information on issues relating to water quality and waste management. A summary of potentially applicable permits, waivers and certifications under the purview of the Regional Board; and related to regional disasters/ emergencies and recovery, are listed on Supporting Document No. 2.

In the aftermath of the October 2007 Wildfires, the Regional Board staff took short-term actions in the following critical areas:

A. Solid Waste Management (Bob Morris):

By letter dated October 25, 2007, the Regional Board authorized the use of Conditional Waiver No. 10 for discharges of emergency or disaster-related wastes. This authorization allows those persons who apply to the Regional Board for coverage, and comply with the requirements of the Conditional Waiver No. 10 (Supporting Document 3), to discharge emergency or disaster-related wastes without having to submit a report of waste discharge and obtain waste discharge requirements (WDRs).

To date, the Regional Board has received and approved applications for coverage under the waiver for the Otay, Sycamore Canyon, Ramona and Miramar landfills. Conditional Waiver No. 10 and the enrollment form (Supporting Document 3) are available on the Regional Board website.

B. Dredge and Fill/Erosion Controls (James Smith):

The San Diego Region includes many cities and unincorporated county lands which suffered substantial damage. The Regional Board contacted all MS4 co-permittees to assess damages, identify potential problem areas, pool expertise, and provide input to facilitate a coordinated local response to this disaster. Jurisdictions in these areas are currently focused on debris clean-up and deployment of best management practices (BMPs) for control of erosion

in burned areas. All portions of the San Diego Region experienced aerial deposition of fire related ash resulting in many guidance documents provided to facilitate removal of ash in a manner that is protective of both public and ecosystem health.

1. Initial storm water control and conveyance issues in the San Diego Region included:

- a.) Construction storm water controls. The extensive area of fire impacts suggests that existing construction sites may have been burned by the wildfires. In that case, the affected sites would need to replace their erosion control BMPs as soon as practicable.
- b.) Municipal Separate Storm Water Sewer Systems (MS4). The MS4 permits do not contain variances from Standard Urban Storm water Mitigation Plans (SUSMP) requirements due to emergency situations (i.e. wildfires). Therefore, all proposed rebuilds are considered "redevelopment", and will probably need to comply with the SUSMP requirements.
- c.) CalTrans storm water controls. CalTrans staff estimates approximately 500 acres of fire damage to their jurisdictional properties. Their first priorities are public safety and opening roadways closed by the wildfires. Application of erosion control measures and BMPs are underway, with the areas around I-15 at Lake Hodges as a priority.

2. In the short-term, the Regional Board is engaged in the following emergency dredge and fill issues:

- a.) The U.S. Army Corps of Engineers (ACOE) Regional General Permit (RGP) No. 63 authorizes discharges related to dredging or filling material into Waters of the United States necessary for repair and protection measures associated with an emergency situation. The Regional Board website is being used to help disseminate information on the availability of the RPG No. 63 permit for use in the San Diego Region.

- b.) On October 14, 2003, the State Water Resources Control Board issued a technically conditioned Water Quality Certification, for RGP No. 63, which is subject to modification or revocation and requires submission of a final technical report.

C. Agency Coordination (Mike McCann):

The Regional Board's role is being further defined as time goes on. Currently the Board has stood ready and will continue to stand ready to do whatever is necessary within the Board's jurisdiction. The Board has been pro-active in providing needed fire related information on our website and activated the fire debris waiver for disposal of fire related waste/debris at Class III landfills. The San Diego Regional Board is far ahead of the other southern California Regions in providing information and enabling the public to initiate timely and effective disposal of fire debris.

Since October 24, 2007, the Board has participated in daily teleconference calls with Cal-EPA Emergency Response Committee that now calls itself the Multiple Agency Support Group (MASG) for Hazardous Materials and Fire Debris. The MASG oversees the formation and proceedings of two local local MASGs on this topic--one in San Diego County and another that has not yet formed itself in Orange County. The Regional Board has already participated in the San Diego County MASG and will participate in the Orange County MASG once it is established.

On October 31, 2007, the Regional Board participated in the first meeting of the MASG for Restoration and Erosion Control under the lead of DWR. The restoration and erosion control effort might engage the Regional Board more than the Fire Debris MASG. The Regional Board will continue to participate in local/State and Federal agency coordination efforts as those opportunities arise.

D. Wildfire Web Resources (John Odermatt):

On October 25, 2007, the Regional Board created a 2007 Wildfire web page to more effectively disseminate information to the various agencies and public. The Regional Board Wildfire website is located on the homepage under "WATER NEWS" and may be directly accessed at:

<http://www.waterboards.ca.gov/sandiego/misc/Firestorm2007/wildfires-2007.html>.

The Board made the following relevant information available to the public and regulated communities.

**Conditional Waivers for Disaster-related Wastes** - includes access to the conditional waivers for management of disaster related waste streams, enrollment forms, and Executive Officer letter, dated October 26, 2007, implementing the conditional waivers.

**Solid Waste Management** - includes information and guidance concerning management and disposal of disaster related solid wastes/debris, guidance on dead animal pickups, and links to local landfill web pages.

**Erosion Control/Dredge and Fill** - includes information and guidance concerning implantation of best management practices (BMPs) for control of storm water and erosion from burned areas. These web pages also provide access to U.S. Army Corps of Engineers Regional General Permit No. 63 for of emergency dredging projects in the wake of a regional disaster.

**Technical Documents/References** - includes access to local and Federal guidance concerning management and disposal of disaster related solid waste/debris, management of household hazardous wastes, food wastes, and locations of solid waste management disposal facilities in San Diego County.

**Other Wildfire Related Links** - includes links to web based wildfire related information and agency contacts at local, State and Federal agencies.

The Regional Board has assigned staff contacts for the following wildfire related issues:

Solid Waste Management/Disposal: Bob Morris - Senior Water Resource Engineer, (858) 467-2962, [BMorris@waterboards.ca.gov](mailto:BMorris@waterboards.ca.gov)

Dredge/Fill, Storm Water & Erosion Controls: Chiara Clemente - Senior Environmental Scientist - (858) 467-2359, [CClemente@waterboards.ca.gov](mailto:CClemente@waterboards.ca.gov)

KEY ISSUES:

Proper management and timely disposal of disaster-related waste streams and control of erosion are critical factors that may affect water quality in aftermath of the wildfires in the San Diego Region. The Regional Board is actively involved in coordinating its efforts with other affected parties in order to effectively minimize water quality impacts from the 2007 Wildfires in the San Diego Region.

LEGAL CONCERNS: None

COMPLIANCE: N/A

SUPPORTING DOCUMENTS:

1. Wildfire Map
2. Matrix of Regulatory Measures
3. Conditional Waiver 10 – Disaster Waste Management
4. Enrollment/Termination Forms for Conditional Waiver 10

RECOMMENDATION: Receive and file.