

Chronology of Events

May 20, 2005

SDRWQCB receives application for Section 401 water Quality Certification from Bill & Heidi Dickerson for a riprap replacement project at the site of their home construction project located at 501 First Street, Coronado, CA. The project purpose as described in the application was to remove the existing riprap shoreline protection and replace it with "Port District approved rock riprap" within the existing footprint of the original shoreline stabilization.

July 18, 2005

The San Diego Unified Port District determined that the project as proposed is a Categorically Exempt from CEQA pursuant to CEQA Guidelines Section 15302 (Class2), and Resolution 97-191(Replacement or Reconstruction).

July 28, 2005

The SDRWQCB Executive Officer issued an Order for Low Impact 401 Water Quality Certification (File No. 05C-041) to Bill & Heidi Dickerson for riprap replacement at 501 First Street, Coronado, CA.

October 21, 2005

The United States Army Corps of Engineers determined that the project as proposed complied with the terms and conditions of Section 404 Nationwide Permit No. 3 (Maintenance). Upon issuance of the 404 permit the project had obtained all the necessary authorizations to proceed with the riprap replacement.

January 1, 2006

According to the Dickerson's construction contractor, Mr. Fred Perry, on or about this date the removal of the existing riprap commenced.

June 12, 2006

In response to information provided to the SDRWQCB by the Port of San Diego Environmental Services staff, a compliance inspection was conducted by the Christopher Means of the SDRWQCB Southern Watershed Protection Unit to assess compliance with the 401 certification issued for riprap replacement at 501 First Street. The results of the inspection found a seawall and concrete footing had been constructed, in violation of the certification conditions. It was also determined that the adjacent residence at 505 First street had also constructed a seawall and footing. A review of SDRWQCB records, and discussions with the

ACOE and Port indicated that the residents at 505 First Street (Larry and Penny Gunning) had not obtained, or applied for any permits to construct the structures.

June 27, 2006

The US Army Corps of Engineers issued Notices of Violation to the residents at 501 and 505 First Street, Coronado for the unauthorized discharge of fill to San Diego Bay.

July 10, 2006

Christopher Means of the SDRWQCB Southern Watershed Protection Unit, ACOE and Port of San Diego staff met onsite with the Fred C. Perry (Perry & Papenhausen Construction) and Jean Nichols (JNE Associates, Inc.) to discuss the unauthorized construction of the seawall. Mr. Perry was provided with a copy of the June 12, 2006 inspection report, and was made aware that his client's actions were in violation of the 401 certification issued to 501 First Street, and that the residents of 505 First Street had failed to obtain any of the necessary permits for their portion of the seawall construction.

August 23, 2006

The Executive Officer of the SDRWQCB issued Cleanup and Abatement Orders (CAO's) R9-2006-0101 and R9-2006-0102.

September 6, 2006

Fred C. Perry requests a public hearing before the Regional Board contesting the issuance of both CAO's. He stated the orders contained errors in fact, and that it was not possible to obtain the permits necessary to comply with the

September 14, 2006

Christopher Means of the Southern Watershed Protection Unit conducted a second inspection at the site to determine if any measures had been taken to comply with the CAO's, and to document any potential beach erosion that had occurred since the first inspection. No actions had been taken to date to comply with the Directives of the CAO's, and it appeared that significant erosion of the beach had occurred.

September 20, 2006

David Gibson and Christopher Means of the Southern Watershed Protection unit met with representatives of the dischargers to discuss the CAO's prior to the Board hearing.