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NORTH COUNTY | SPRINTER CONSTRUCTION MARKED BY WATER VIOLATIONS

# Transit district penalized



Workers paved the parking lot of the Buena Creek Sprinter Station. The North County Transit District was fined \$160,000 over water runoff from the Sprinter's tracks that polluted water sources in Vista, Oceanside and San Marcos. The district said it will ask to have the fines reduced. *Scott Linnett / Union-Tribune*

## Runoff along train tracks leads to \$160,000 in fines

By Michael Burge  
STAFF WRITER

The North County Transit District stands to pay a \$160,000 penalty for failing to prevent runoff along the Sprinter passenger train tracks from fouling local streams.

The transit district also falsified its

inspection reports, according to the San Diego Regional Water Quality Control Board.

The regional board is hitting the transit district with the maximum possible penalty: \$10,000 each for 16 violations.

"It's a considerable amount of money that any entity (or) agency wouldn't want to pay," said Michael McCann, assistant executive officer of the water board.

"I think it's high enough to act as a

deterrent in the future," McCann said. "It's about attaining compliance on the part of the discharger."

The agency cited the transit district after following up on public complaints.

The Regional Water Quality Control Board polices state and federal regulations concerning runoff, which can foul streams, lagoons and the ocean with dirt, chemicals and bacteria.

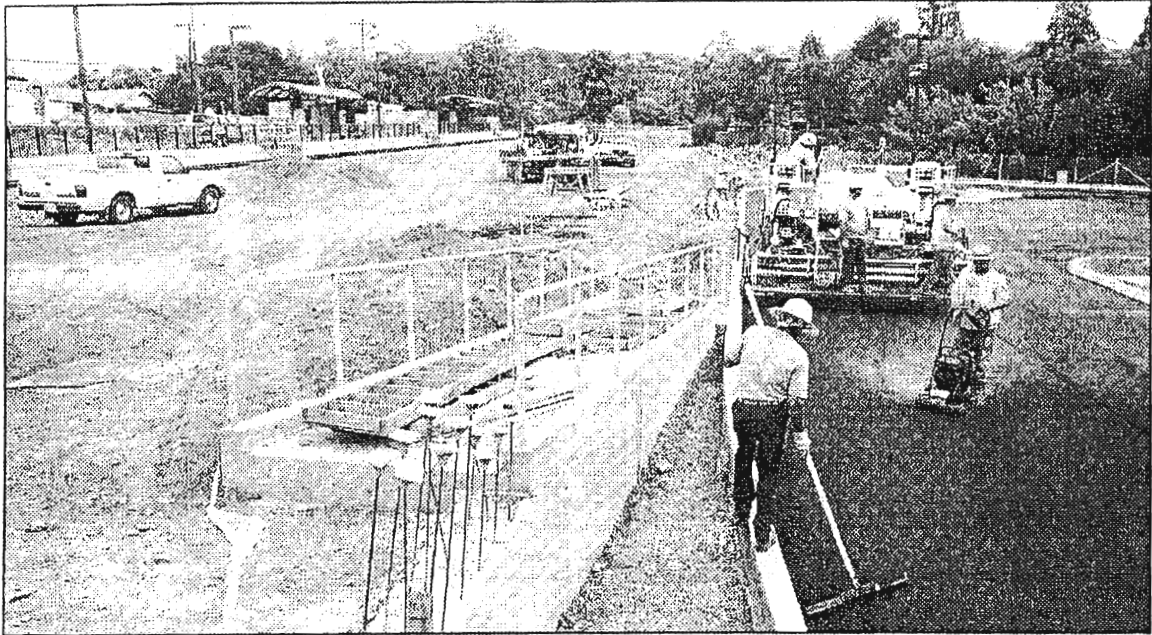
Transit district spokesman Tom Kelleher said the agency will talk to the water quality board about lowering the

penalty.

"We do want to have a preliminary meeting to discuss what we've done to remedy the situation and what would be equitable as opposed to the maximum fine," Kelleher said.

"We have a person on staff to make sure we're monitoring the controls all along the right of way, and they're in contact with the contractor to make sure ... we're not in violation of those

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The parking lot near the Buena Creek station in Vista was paved as the transit district gears up for the Sprinter's planned opening around the end of the year. The district was fined for 16 runoff violations, two of which were in Vista. *Scott Linnett / Union-Tribune*

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### Transit district will try to get fines reduced

rules," he said.

Asked if the rush to complete construction of the Sprinter tracks on schedule contributed to laxity in preventing storm-water runoff, Kelleher said, "Quite possibly."

He said that although the fines were assessed against the district, the contractor, West Coast Rail Constructors, will pay it.

"The contractor was not adhering to the rules of the con-

tract," Kelleher said.

The water board's complaint cites the transit district for two instances of failing to maintain barriers that prevent sediment from running into streams. It also lists four instances when a transit district self-inspection report said those barriers were in place and trash was in closed containers when neither was true.

In addition, it lists 10 instances when sediment ran into streams when it shouldn't have — nine on Feb. 20 and one on March 21.

Six of those illegal discharges occurred along the San Marcos loop, where the district laid 1.7 miles of track that will serve California State University San Marcos. The district has a his-

tory of friction with residents and the city along that loop.

The other San Marcos violation occurred across the tracks from Palomar College, between the tracks and Arnorlite Drive. In all cases, the runoff ran through a storm drain into San Marcos Creek.

There were two violations along the tracks in Vista: one near Escondido Avenue and the other near Mar Vista Drive. In those instances, the sediment ran down a drain into Buena Vista Creek.

The Oceanside violation occurred along Loma Alta Creek near El Camino Real and was the only March 21 violation.

The 22-mile Sprinter rail line will link Oceanside and Escondido with passenger train ser-

vice for the first time in about 60 years. It will serve 15 stations and is expected to open by the end of the year.

The district has been beset by construction-cost increases and pressure from the federal government to complete the job by its scheduled date.

The project was budgeted at \$375.5 million when it went to bid in July 2004. That budget has been revised to \$484.1 million, and its current cost is estimated at \$470 million.

The San Diego Regional Water Quality Control Board has scheduled a hearing on the transit district's penalty on Nov. 14.

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