

MARY JO LANZAFAME
ASSISTANT CITY ATTORNEY

THOMAS C. ZELENY
CHIEF DEPUTY CITY ATTORNEY

OFFICE OF
THE CITY ATTORNEY
CITY OF SAN DIEGO

JAN I. GOLDSMITH
CITY ATTORNEY

CIVIL DIVISION
1200 THIRD AVENUE, SUITE 1100
SAN DIEGO, CALIFORNIA 92101
TELEPHONE (619) 533-5800
FAX (619) 533-5856

October 26, 2009

Item No. 11
Doc. No. 7

Catherine Hagan (George), Esq.
Senior Staff Counsel
Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123
CHagan@waterboards.ca.gov

David Boyers, Esq.
Senior Staff Counsel
State Water Resources Control Board
Office of Enforcement
1001 "I" Street, 16th Floor
Sacramento, CA 95814
DBoyers@waterboards.ca.gov

Subject: ACL Complaint No. R9-2009-0042
Supplemental Evidence and Policy Statement

Dear Ms. Hagan and Mr. Boyers:

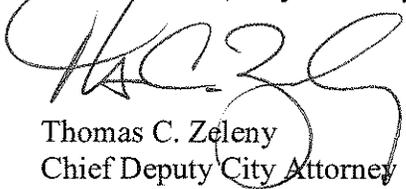
This letter supplements the City's Evidence and Policy Statement dated October 22, 2009. The purpose of this letter is to propose a Supplemental Environmental Project ("SEP") pursuant to the Hearing Procedure for Administrative Civil Liability Complaint No. R9-2009-0042. The proposed SEP is enclosed for your review.

If you have any questions regarding this submittal, please contact me at 619.533.5800.

Sincerely,

JAN I. GOLDSMITH, City Attorney

By


Thomas C. Zeleny
Chief Deputy City Attorney

Enclosure

CALIFORNIA REGIONAL WATER QUALITY CONTROL
BOARD
SAN DIEGO REGION
(SDRWQCB)
SUPPLEMENTAL ENVIRONMENTAL PROJECT APPLICATION

Project Requested by: City of San Diego, Public Utilities Department and San Diego Coastkeeper
Name of Project: Lake Hodges/San Dieguito Watershed Water Quality Monitoring Project
Date of Request: October 26, 2009
Point of Contact: Steve Meyer, Deputy Director, Public Utilities Department
Phone: (619)-758-2300 E-Mail: smeyer@sandiego.gov
Karen Franz, San Diego Coastkeeper
Phone: (619) 758-7743 E-Mail: karen@sdcoastkeeper.org

Project Summary:

This SEP proposal seeks funding for a cooperative effort by San Diego Coastkeeper and the City of San Diego, Public Utilities Department to reinvigorate and expand the water quality monitoring program in the watershed of the Hodges Reservoir [Figure 1 attached]. The purpose of this project is to assess water quality from tributaries draining into Lake Hodges in order to understand and address sources of contaminants draining into the reservoir on a sustained basis. The monitoring data generated by this project will be collected by community members and be communicated back to the community in order to promote responsible land use and reservoir management decision-making. Each of the monitoring sites is associated with a type of land use: commercial, residential, agricultural and open space [Figure 2- attached]. The project will engage community members in data collection, analysis, and processing through San Diego Coastkeeper's Citizen Water Monitoring Program, as well as by the City of San Diego's water quality laboratories. Local communities, businesses, and other stakeholders will be engaged in reservoir stewardship, restoration and protection through enhanced outreach and education.

Background:

Hodges Reservoir is a regionally important drinking water reservoir owned and operated by the City of San Diego, Public Utilities Department. Hodges Reservoir captures local runoff from a 303 square mile watershed. Water from the Reservoir is delivered to the Santa Fe Irrigation District and the San Dieguito Water District, which then supply water to residential and commercial users in Encinitas, Rancho Santa Fe, Leucadia, and portions of neighboring communities. The reservoir is also a planned part of the San Diego County Water Authority (SDCWA) regional aqueduct system Emergency Storage Project. With the anticipated completion of the project in 2010, water imported from the Colorado River and the Sacramento/San Joaquin Delta will be stored in Hodges Reservoir, along with local runoff. This water will then be delivered through the regional aqueduct system to water agencies across the southern

two-thirds of San Diego County. Ultimately, more than two million people will get some of their drinking water from Hodges Reservoir.

The San Dieguito River Watershed, including Lake Hodges, has several designated beneficial uses in the Water Quality Control Plan for the San Diego Basin¹, including the following:

- Municipal and Domestic Supply (MUN)
- Agricultural Supply (AGR)
- Industrial Process Supply (PROC)
- Industrial Service Supply (IND)
- Contact Water Recreation (REC-1)
- Non-contact Water Recreation (REC-2)
- Warm Freshwater Habitat (WARM)
- Wildlife Habitat (WILD)

Total Life Cycle Cost for the Project:	
Project Overhead/Management	\$20,000
Design/Consultation	\$30,000
Construction/Implementation	\$120,000
Long Term Maintenance ² /Oversight ³	NA
Total Project Cost	\$170,000

Watershed/Water Body/Location for Project (attach maps):

Specific drainage streams and Lake Hodges in the San Dieguito River watershed, see Figures 1 and 2, attached.

Project Proposed Start Date and Time Line

Milestone	
Project Start	December 1, 2009
Planning and design	December 1, 2009- January 1, 2010
Implementation, sampling begins	January 2010
Field work and analysis	Ongoing
Outreach	Ongoing
Annual Reports	March 30 (each year)
Complete field work	November 3, 2014
Final Report and project end.	March 31, 2015

¹ Regional Water Quality Control Board, San Diego Region, September 8, 1994, with Amendments

² Project activities are fully active throughout the life-cycle; Maintenance is not applicable.

³ Oversight would be included as part of project management (line 1) throughout the course of the project.

Organization Sponsoring Project (tax I.D. #) Coastkeeper ID = 33-0647946
City of San Diego ID = 95-6000776W

Name of Project Managers:

City of San Diego – Jeff Pasek Phone (619) 533-7599
San Diego Coastkeeper – Karen Franz Phone (619) 758-7743

Designated Project Trustee: Ann Sasaki, Assistant Director, Public Utilities Department,
City of San Diego

Description of Project Trustee capability or commitments to ensure that the project will be complete:

Coastkeeper brings manpower [staff and volunteers], enthusiasm, community participation, and expertise in effective public outreach/ education. The Public Utilities Department brings the professional knowledge and laboratory capabilities for a monitoring program that produces highest quality data. Expansion of the monitoring program is fully scalable: the number of stations and the monitoring frequency can match the additional funding made available. This would be a fairly unique partnership of an environmental NGO (Non-Governmental Organization) and a public water/wastewater agency.

Both organizations have decades-long experience in developing and managing similar projects. Both have well developed management, fiscal, and technical teams and systems necessary to manage this project.

Statement of Project Trustee ability/authority to receive and disburse funds:

The Public Utilities Department is a department of the City of San Diego, a municipal corporation. Given City Council approval of its organization and annual operating budget, Public Utilities has the ability and authority to receive revenues and to disburse funds.

DETAILED PROJECT INFORMATION

1. PROPOSAL DESCRIPTION

The San Diego Coastkeeper and City of San Diego Public Utilities Department will develop and implement a 5-year Water Quality Monitoring Program that includes monthly dry-weather monitoring of four streams that drain different land use areas in the watershed. In seasonal wet weather periods, we would also monitor the same sites up to six times per year during rain events. Monitoring will consist of sampling, typical field observation, field determinations, and laboratory analysis of samples. Typical water quality metrics will be included and the resulting data evaluated against Quality Control/Quality Assurance (QA/QC) criteria and completeness. The data set will be assembled, reviewed, and published. Annual Reports will include summaries of project activities, outreach, field data, and laboratory analysis for the calendar year.

Sampling and field observations and measurements will be performed by Coastkeeper staff and volunteers. Laboratory analyses will be performed by Coastkeeper and City laboratories. Some

analyses may be sent to other laboratories, either State ELAP (Environmental Laboratory Accreditation Program) certified commercial laboratories or academic laboratories having the appropriate capabilities.

Field observations and measurement will include typical water quality indices such as; air and water temperature, Dissolved Oxygen (DO), Conductivity, and pH. Depth, width, and flow measurements of study streams will be included. Observations on beneficial uses and local conditions will be fully documented. Laboratory analyses will include more complex water quality determinations, e.g. total and fecal coliforms, enterococcus, phosphate, nitrate, toxicity screening, and metals.

A significant part of the project will be the outreach including making data and reports available on the Internet and social media, making community presentations, and publication and disseminating watershed reports, in print and electronically.

2. PROBLEM STATEMENT

The watershed of Hodges Reservoir has a wide range of land uses and human activities that may affect water quality. Land uses in the watershed include high density urban, commercial, semi-rural and rural residential, agriculture, and open space. Watershed Sanitary Surveys completed by the Public Utilities Department in 1995, 2000, and 2005 determined that the greatest existing or potential sources of contaminants across the watershed are non-point source pollutants from residential, agricultural, and commercial areas as well as potential impact from wastewater systems.

Recognizing the regional importance of Hodges Reservoir and the potentially negative effects various land uses and human activities can have on water quality, the Public Utilities Department initiated a watershed monitoring program in the late 1990s. There are thirteen established monitoring stations on streams tributary to the reservoir. The monitoring involves both field measurements and laboratory analyses. Sampling is on a regular schedule and during rain events. The monitoring focuses on nutrients [forms of nitrogen and phosphorous], TDS, and indicator bacteria. This monitoring program is entirely discretionary; that is to say, it is not required or mandated. The goal of the monitoring program is to understand the largest sources of pollutants to Hodges Reservoir and to guide programs and projects that will reduce these pollutants. Funding constraints within the Public Utilities Department have limited the full development of the monitoring program, and since about 2005 it has been scaled back to a minimal level. Currently only a few stations are monitored and sampling is infrequent. There is no rain-event monitoring.

Organizations, such as San Diego Coastkeeper and Southern California Coastal Water Research Project (SCCWRP), have also performed environmental assessments and operated water quality monitoring in this watershed. Such studies have consistently found that the watershed and water quality is impacted, largely from non-point source contributions of pollutants. However, the understanding of the contributions from watershed tributaries to Lake Hodges is extremely limited.

3. HOW WILL THE PROJECT BENEFIT WATER QUALITY AND BENEFICIAL USES?

Water Quality monitoring programs have been largely reduced or suspended recently due to fiscal constraints by both NGOs and agencies like the City of San Diego. There is a need for the data and assessments this monitoring program can provide. It is generally acknowledged that water quality in Hodges Reservoir is at risk, and the cause of poor water quality is pollutant loading from the 346 square mile watershed. Lacking, however, is good monitoring data over a sufficient time span to allow an understanding of the sources of pollutants. Local communities, businesses, and other stakeholders will be engaged in reservoir stewardship, restoration and protection through enhanced outreach and education.

4. HOW WILL THE SUCCESS OF THIS PROJECT BE MEASURED?

- Number of volunteers trained and engaged.
- Number of outreach events where data was displayed.
- Data collected and displayed to demonstrate source identification.
- Annual reports.
- Final watershed report and dissemination.

We would make a minimum of 2 presentations per year to local stakeholder groups and/or agencies about this work to show how data collection and analysis is progressing and what the implications are for water management.

5. DETAILED WORK PLAN

See Appendix A

I certify that the information provided in this application is an accurate and complete report of the costs, scope of work and expectations of this proposed project I am submitting to the SDRWQCB.

SIGNATURE Ann Sasaki Date 10/26/09
Ann Sasaki, Assistant Public Utilities Director

Figure 1- San Dieguito Watershed Impacted Areas

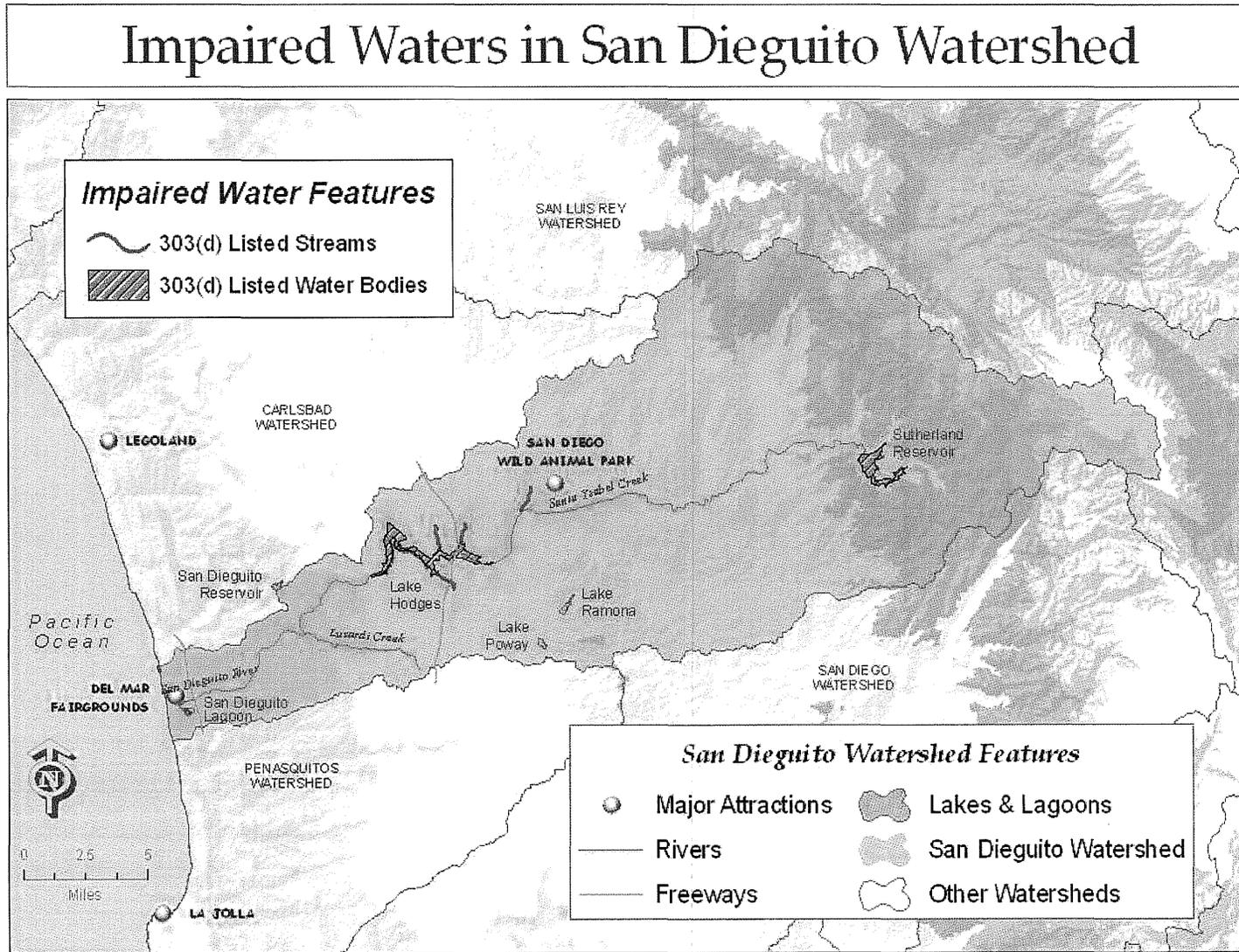
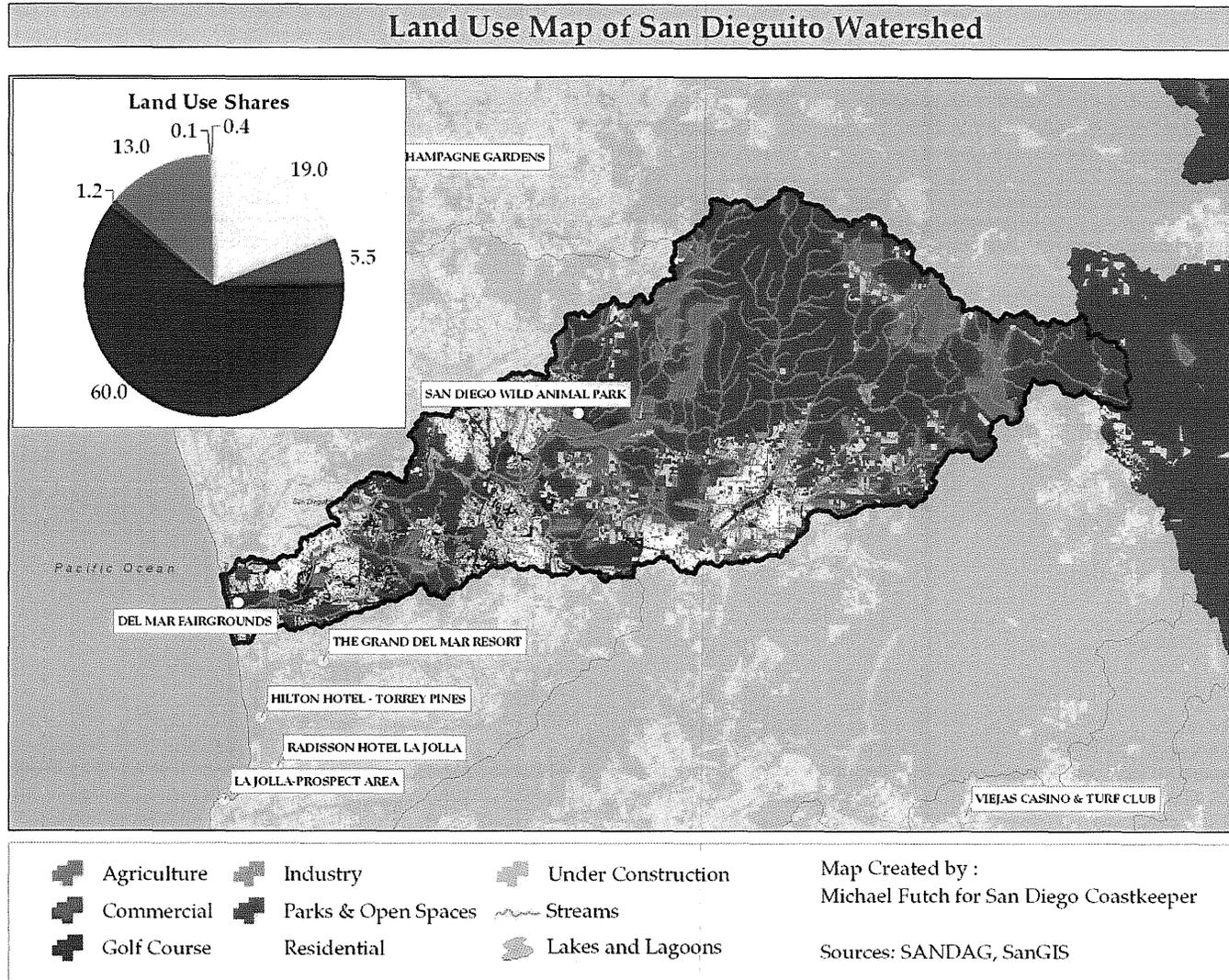


Figure 2 - Land Use Map



Appendix A

Please include a detailed supplemental report of the proposal/project that includes the following:

The following outline substantially describes project details. Some plans depend on the final funding level and specific plan documents will be developed as a part of the project (e.g. QAPP, procurement and funding mechanisms, etc.). The project trustees will submit supplemental detailed plans as part of its first report.

a. Scope of work (work to be performed)

Project scope will be refined once the total funding level is set. The project is somewhat scalable by altering several monitoring parameters, e.g. length, frequency of sampling, number of analytes, etc. Four stream sites are planned to be sampled throughout the study period, both monthly dry weather and episodic wet weather rain events.

Outreach program to include presentations to local stakeholder groups and/or agencies about this work to show how data collection and analysis is progressing and what the implications are for water management. Will also include making data and reports available on the Internet and social media, making community presentations, and publication and disseminating watershed reports, in print and electronically.

b. Budget

The following budget is predicated upon the indicate amount for total funding of \$170,000. Amounts will be adjusted depending on final monitoring plan.

Total Life Cycle Cost for the Project:	
Project Overhead/Management	\$20,000
Design/Consultation	\$30,000
Construction/Implementation	\$120,000
Long Term Maintenance ⁴ /Oversight ⁵	NA
Total Project Cost	\$170,000

c. Task descriptions

Field observations and measurement will include typical water quality indices such as the following;

- Air & Water Temperature
- Dissolved Oxygen
- Conductivity (with Total Dissolved Solids value by calculation)
- pH
- Documented observations on Beneficial Uses and local conditions.
- Depth, width and flow measurements of study streams.

⁴ Project activities are fully active throughout the life-cycle; Maintenance is not applicable.

⁵ Oversight would be included as part of project management (line 1) throughout the course of the project.

Laboratory Analyses will include more complex water quality determinations, e.g.

- Bacteria Suite (e.g. total and fecal coliforms, enterococcus)
- Phosphate, Nitrate
- Toxicity Screening
- Metals (e.g. arsenic, cadmium, chromium, copper, lead, manganese, silver, zinc, etc.)

Outreach will include:

- Social Media: Making the data and analysis available on the wiki, updating monthly as new data becomes available, and using other social media outlets to raise awareness about challenges and solutions in Hodges Reservoir
- Community Presentations: presenting findings at targeted community / stakeholder meetings at least twice a year
- Development and dissemination of Watershed Report: develop print and electronic watershed report at the end of the project and disseminate at outreach events to communities who rely on Hodges Reservoir as a drinking water source, and e-mail out using San Diego Coastkeeper's e-mail alerts.

d. Methods and materials

Widely accepted standard methods and procedures, such as those used in the current Surface Water Ambient Monitoring Program (SWAMP) conducted by San Diego Coastkeeper, will be used. State ELAP certified methods will be used for the analyses (e.g. metals, total and fecal coliforms, etc.) performed by the City water quality laboratories.

Materials will be standard equipment described in SWAMP project plans and common laboratory reagents, equipment, and instrumentation. Complete documentation of methods and Quality Assurance Plans are available at each of the trustee's facilities and are published regularly.

e. Resource needs

Funding level is to be determined in as part of SEP approval. All other resources are available to the Trustees.

f. Regulatory issues (environmental reviews, permits, etc.)

We do not believe there are any direct regulatory issues or requirements in the project scope.

g. Schedule

Project Proposed Start Date and Time Line

Milestone	
Project Start	December 1, 2009
Project planning	December 1, 2009- January 1, 2010
Implementation, sampling begins	January 2010
Annual Reports	March 30 (each year)
Project End	November 3, 2014

- h. Work products and documents to be retained for records
Work products and documents to be retained by trustees include any of the following that are specific or related to the SEP and may include both paper and electronic forms.
- Final project plans.
 - Field data records.
 - Sample chain of custody and laboratory records.
 - Reports of analysis.
 - Maps and charts used in the study.
 - Final reports and published materials.
- i. Other information about the proposed project that may be of interest to the SDRWQCB.

The San Dieguito River watershed is a drainage area of approximately 346 square miles in west-central San Diego County. The watershed includes portions of the cities of Del Mar, Escondido, Poway, San Diego, and Solana Beach, and unincorporated San Diego County. In terms of land area, the majority of the watershed (79.8%) is within the unincorporated jurisdiction. The San Dieguito River watershed is divided into vacant/undeveloped (54%), parks/open space (29 %), and urban (18%) land uses. Nearly half of the vacant land area is open to future development, most of which is zoned for residential usage. The current watershed population is approximately 125,000, however; this level is projected increase to over 210,000 by 2015. The watershed extends through a diverse array of habitats from its eastern headwaters in the Volcan Mountains to the outlet at the San Dieguito Lagoon and the Pacific Ocean. There are several important natural areas within the watershed that sustain a number of threatened and endangered species. Among these are the 55-mile long, 80,000 acre San Dieguito River Park, the 150 acre San Dieguito Lagoon, and five water storage reservoirs including Lake Hodges, Lake Sutherland, and Lake Poway.
