

San Diego
Regional Water Quality
Control Board



Executive Officer's
Report

November 9, 2005

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Attachments for B-1, B-2, B-3, B-6, B-7 and B-14 are included at the end of the report. Also included as an attachment are the Significant NPDES Permits, WDRs and RB Actions.

SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

EXECUTIVE OFFICER'S REPORT

November 9, 2005

PART A

SAN DIEGO REGION STAFF ACTIVITIES *(Staff Contact)*

1. Personnel Report *(David Barker)*

As of November 2005 the California Regional Water Quality Control Board (San Diego Water Board) has an existing authorized staff size of 70 employee positions. Sixty (60) of these positions are comprised of technical staff in the engineering, engineering geology, and biologist job classifications. Ten (10) of these positions are comprised of staff in administrative office services and information technology job classifications.

The San Diego Water Board is currently involved in a major recruitment effort to fill vacancies resulting from recent staff departures as well as the establishment of new vacant positions resulting from budget augmentation with additional federal and state program funds. Our current recruitment emphasis is to fill a total of 10 vacancies in the following program areas:

- One (1) administrative staff vacancy in information technology support services.
- Two (2) technical staff vacancies in the Department of Defense site cleanup program.
- One (1) technical staff vacancy in Total Maximum Daily Load (TMDL) development program.
- Four (4) technical staff vacancies in the NPDES storm water program.
- Two (2) technical staff vacancies in the NPDES/WDR Publicly Owned Treatment Works program.

The recruitment and interview of candidates to fill these vacancies is underway. During October 2005 three candidates accepted job offers and we are close to receiving a job offer acceptance from a fourth candidate. We anticipate the four new staff will be reporting to work during November 2005. We will continue the emphasis on recruitment to fill the remaining six vacancies until all vacant positions are filled.

2. Headwaters to Ocean Conference *(Jeremy Haas)*

On October 26-28, 2005 Jeremy Haas of the Northern Watershed Protection Unit attended the third annual Headwaters to Ocean Conference in Huntington Beach. The conference, organized by the California Shore & Beach Preservation Association, the California Coastal Coalition, and the Southern California Wetlands Recovery Project, was attended by approximately 250 people. Public and private sector presentations addressed state and local programs, technical studies, and examples of applied management, restoration, and assessment efforts related to coastal watershed processes. Mr. Haas served as moderator of a session on water quality best management practices

and also delivered a presentation on ways to assess effectiveness of urban runoff management measures for indicator fecal bacteria and pathogens. Conference presentations will in time be posted on-line at: <http://www.coastalconference.org>.

3. Site Assessment and Mitigation Steering Committee Meeting (*Jody Ebsen and John Odermatt*)

On October 13, 2005, the Regional Board staff (Ms. Jody Ebsen and Mr. John Odermatt) attended a meeting of the San Diego County Department of Environmental Health Site Assessment and Mitigation (SAM) Forum Steering Committee. The Regional Board staff regularly attends and participates in the "Site Assessment and Mitigation Program (SAM) Forums", hosted by the County of San Diego Department of Environmental Health (DEH). The Steering Committee members include representatives from the County DEH-LOP, a local contract laboratory, local consulting firms, a local law firm, the military (Navy), and major oil companies (Unocal and BP-ARCO). These committee meetings are used to plan the venue and agenda's for future SAM Forum Meetings. The County DEH SAM Forum meetings provide a semiannual venue for regular face- to-face interactions between the regulated community, the public, and the State/local regulatory agencies. The SAM Forum attendees commonly include representatives from the public, local environmental consulting firms, the military (Navy and U.S. Marine Corps), major oil companies (Unocal, Shell and BP-ARCO), and other private/institutional parties.

4. U.S. EPA Brownfield Workshop (*Sue Pease and John Odermatt*)

The Regional Board hosted the third annual workshop for EPA Grant Applications for Brownfield Funding Opportunities. The Brownfields Program was created by the U.S. EPA to help communities deal with environmental contamination that presents an obstacle to redevelopment projects. Contaminated sites may significantly hinder reinvestment or development interest in the community. The workshop is designed to help eligible entities including local government agencies and municipal entities (*i.e.*, General Improvement Districts, Redevelopment Agencies) and non-profit groups prepare for the competitive grants applications to the U.S. EPA. The training session included a discussion of grant eligibility criteria, application formatting, scoring criteria and important points of emphasis. The training was presented by U.S. EPA staff and hosted at the office of the Regional Board.

Twenty four people attended the workshop representing several Redevelopment Agencies, private consulting firms, the Environmental Health Coalition, a San Diego City Council member, San Diego County Department of Public Works, City of Chula Vista, National City, City of Escondido, City of San Diego, State of California Department of Toxic Substances, San Diego Regional Water Quality Control Board, and the Port of San Diego. The application deadline for EPA Brownfields Grants is December 14, 2005. Many cities, as well as County agencies are in the midst of assessment or cleanup at Brownfield sites, and if they are awarded a grant from EPA, it could facilitate progress towards redevelopment of Brownfields sites.

5. World Monitoring Day (*Dave Gibson*)

The fourth annual World Water Monitoring Day was held on October 14, 2005. The event was organized by the San Diego Citizen Watershed Monitoring Consortium to commemorate the passage of the Clean Water Act, to promote awareness of watershed issues, and to educate the public about the value of water resources to society. Citizens, students, and teachers from 23 schools in San Diego participated in the event. The volunteers collected and analyzed water samples to assess water quality at more than 12 sites throughout San Diego County. The main event was held at the Sweetwater Regional Park. During this event, students from schools in San Diego and Tijuana analyzed water samples from Morrison Pond, learned about biological assessment, and participated in interactive demonstrations of pollutant transport using models in the Splash Lab traveling exhibit. Key speakers included San Diego Regional Water Quality Control Board Chairman John Minan and Executive Officer John Robertus, Brian Swagerty of the San Diego County Office of Education, and Martin LeBlanc of the Sierra Club.

6. Staff Recruitment—Career Day at University of Southern California (*Michael McCann*)

The representatives from the State and Regional Boards participated at a career day event on October 20, 2005 hosted by the School of Engineering at the University of Southern California. Michael McCann joined staff from the Los Angeles Regional Board along with Karen White, the State Board's recruitment officer, to provide employment information to engineering graduates interested in employment with the State and Regional Boards. The recruitment team counseled a number of promising graduates and undergraduates about employment opportunities with the State and Regional Boards.

Participation at this career day event marks the start of a statewide recruitment effort by our agency to encourage perspective engineers and scientists to seek employment with our agency.

PART B **SIGNIFICANT REGIONAL WATER QUALITY ISSUES**

1. Sanitary Sewer Overflows (SSO) (*Charles Cheng, and Victor Vasquez*) (*Attachment B-1*)

From October 1 to October 31, 2005, there were 15 sanitary sewer overflows (SSOs) from publicly-owned collection systems reported to the Regional Board office; 5 of these spills reached surface waters or storm drains, one of which resulted in closure of recreational waters. Of the total number of overflows from public systems, five were 1,000 gallons or more. The combined total volume of reported sewage spilled from all publicly owned collection systems for the month of October 2005 was 34,475 gallons.

There were also 13 sewage overflows from private property reported in October 2005. Three of these spills reached surface waters or storm drains but did not result in closure of recreational waters. Of the total number of overflows from private property, two were 1,000 gallons or more.

The total rainfall amount for October 2005 recorded at San Diego Lindbergh Field was 0.46 inch. For comparison, in October 2004, 4.98 inches of rainfall was recorded at San Diego's Lindbergh Field and 34 public SSOs were reported.

Attached is a table entitled "Sanitary Sewer Overflow Statistics," updated through October 31, 2005, which contains a summary of all sanitary sewer overflows (by FY) from each agency since FY 2001-2002.

It should be noted that the data for spill volume per volume conveyed (GAL/MG) could be easily misinterpreted. For a sewer agency that has a small system size but experienced a spill of a few hundred gallons or more, the value may show high. Also, for a sewer agency that has a large system size, a high volume spill event may not result in a high value for this statistic. Hence, these numbers by themselves are not sufficiently representative of the measures being taken by a sewer agency to prevent SSOs, nor can the numbers be compared directly between agencies. The data does represent a different way to review and analyze SSO volume data as it relates to system size.

During the month of October 2005 the U.S. Section of the International Boundary and Water Commission reported two significant sewer overflows.

The first overflow report encompasses three events in the Tijuana River over a 3-day period October 28-30. The report states that the overflows were discovered during a routine inspection of the Tijuana Flood Control Project that showed the river had experienced some high flows. The USIBWC employee checked the river gauging station to find that the flows had occurred at 4:45 pm on Oct 28th, 4:15 pm on Oct 29th and 3:15 pm on Oct 30th. The report claims that the overflows passed the gauging station and energy dissipating structure and flowed as far downstream as Dairy Mart Road Bridge before infiltrating into the soil. The total amount of this series of 3 overflows was estimated at 3.5 million gallons.

The second report was an overflow of 95,000 gallons that occurred on Oct 31st at approximately 6:15 pm in the Tijuana River. The flow was at the same location as the 3.5 million gallon flows yet did not pass the energy dissipating structure and remained on IBWC property. The cause of this flow, and the previous flows, as reported by the Comision Estatal de Servicios Publicos de Tijuana (CSEPT) were the result of diverted flows to the Tijuana River channel from eastern Tijuana where sewer pipe replacement was taking place. The report indicates that the Tijuana River diversion pumping station was operating at this time, yet because of silt and sedimentation in the wet well, the pump station could not divert the extra flow during peak hours.

Additional information about the Regional Board's SSO regulatory program is available at the Regional Board's website at <http://www.waterboards.ca.gov/sandiego/programs/sso.html>.

No Notices of Violation (NOV) were issued in October for significant overflows.

2. Clean Water Act Section 401 Water Quality Certification Actions Taken in October 2005 (Bob Morris) (Attachment B-2)

Section 401 of the Clean Water Act requires that any person applying for a federal permit or license which may result in a discharge of pollutants into waters of the United States, must obtain a state water quality certification that the activity complies with all applicable water quality standards, limitations, and restrictions. The majority of project applications are submitted because the applicant is also applying for a Section 404 permit from the Army Corps of Engineers, for filling or armoring of creeks and streams. See attached table (B-2).

Public notification of pending 401 Water Quality Certification applications can be found on our web site at: <http://www.waterboards.ca.gov/sandiego/programs/401cert.html>.

3. Grants Update (Dave Gibson) (Attachment B-3)

Status of State Bond Act and federal 319(h) Grant Program Projects

The Regional Board is currently managing 37 grant-funded contracts worth approximately \$53 million (Attachment B-3). The Regional Board is continuing to process extension amendments for eight Proposition 13 Phase II grants. There are approximately 11 projects that are behind schedule. The extension amendments will provide the additional time for some grantees to complete the project. For projects that are behind schedule and cannot be extended, the Regional Board will try to work with the grantees to return the projects to schedule.

The State Water Resources Control Board (SWRCB) is implementing new procedures to document compliance by grantees whose activities warrant compliance with the California Environmental Quality Act (CEQA). The procedures would provide an Environmental Clearance Review that would review and provide comments on the draft CEQA documents and record the action taken by the lead agency. Regional Board will be forwarding CEQA documents submitted by grantees to the SWRCB for this review. Grantees will receive a notice to proceed after the Environmental Clearance Review is completed. Projects that have already satisfied CEQA, have received the necessary permits, and are underway will not be subject to this requirement.

Proposition 50 Integrated Regional Water Management (IRWM) Grant Program

Although the DWR Director is considering final approval of the IRWM planning-grant funding list, the Integrated Coastal Watershed Management (ICWM) planning grant funding list was approved by the SWRCB at its meeting on October 20, 2005. Included in the funding recommendation was a proposal by the Regents of the University of California for \$499,874 for a Coastal Watershed Management Plan. The proposed ICWM Plan will develop a collaborative watershed approach to implement effective and efficient strategies to address non-point source pollution within the urban watershed tributary to two ASBS areas. The plan will address a watershed area encompassing areas of the San Diego community of La Jolla and the Scripps Institution of Oceanography (SIO).

Reviews of the 50 Step 1 Implementation Grant Proposals submitted in July 2005 are ongoing. The joint SWRCB and DWR review process and callback list will be completed by December 2, 2005.

Consolidated Proposition 40 and Proposition 50 Grants Program

SWRCB and the Regional Boards, US EPA, and partner agencies are continuing to develop draft Guidelines for this Consolidated Grants Program. The draft Guidelines are under legal and management review. The draft Guidelines should be released in November 2005. In addition, the SWRCB met with the Bay-Delta Public Advisory Committee's Watershed Subcommittee on October 21, 2005 to discuss whether to include the CALFED Watershed funding in the Consolidated Grants. The Subcommittee recommended postponing the Watershed solicitation because of confusion resulting from the release of DWR's independent CALFED Watershed Proposal Solicitation Package. Subsequently, the SWRCB removed the CALFED Watershed funds from the 2005-06 Consolidated Grants as recommended.

Funding Fair

The SWRCB will host a one-day Funding Fair on November 4, 2005 in Sacramento. The purpose of the Funding Fair is to provide an overview of current and upcoming funding opportunities and tips for completing applications, negotiating grant agreements, and managing grants. Updates will be provided on recent improvements to our grant process. The SWRCB has invited partner agencies to share information about a broad range of funding opportunities available to interested stakeholders. Approximately 200 persons registered for the event by October 21, 2005. An electronic e-mail list has been established for the Funding Fair. Interested parties can sign-up for the "State Water Board Funding Fair" e-mail list on-line at:

http://www.waterboards.ca.gov/lyrisforms/swrcb_subscribe.html. The Funding Fair webpage is available at: <http://www.waterboards.ca.gov/funding/fundingfair.html>.

Dairy Water Quality Grant Program

Statewide, nineteen proposals were submitted by the October 3, 2005 due date requesting \$17.5 million in grant funds. There is \$5 million available. No proposals were submitted for projects in the San Diego region. The first Selection Panel meeting (a phone conference) was held on October 21, 2005. The final Selection Panel meeting has been set for December 15, 2005. Five agencies plus four regional boards had representatives at the first Selection Panel meeting.

Small Community Groundwater Grants

The proposal submittal period closed on August 19, 2005. Forty-eight proposals, totaling approximately \$48.2 million were submitted. The total available funding is \$9.5 million. One proposal was submitted by the YMCA Camping Services of San Diego County for a project to install a wastewater treatment plant to eradicate nitrate contamination of the groundwater supply for the YMCA Marston and Raintree Ranch youth camps in Julian.

The SWRCB is working with Dept of Health Services to develop the Competitive Project List, which will be considered for adoption by the SWRCB in November 2005.

Clean Beaches Initiative Grant Program

The Clean Beaches Task Force met on October 12, 2005 to review Proposition 40 Phase 2 proposals. A total of six projects were proposed in the San Diego region, two of which were conditionally awarded funding in August and one of which was on the agenda for review at the October 12, 2005 meeting. To date, approximately \$12.9 million of the \$22.2 million Proposition 40 funds available have been assigned to 9 projects. The SWRCB is working with the recipients to secure the funding. The Task Force has made recommendations to modify the Competitive Location List (CCL). The SWRCB will consider these recommendations at its January 2006 meeting. The SWRCB will continue to accept applications for Proposition 40 funds for projects on the CLL.

4. Status Report on Adopted TMDLs (Lesley Dobalian)

The San Diego Water Board adopted three TMDL Basin Plan amendments in fiscal year 2005-2006, namely: Shelter Island Yacht Basin TMDL for Dissolved Copper; TMDLs for Dissolved Copper, Lead, and Zinc in Chollas Creek; and Total Nitrogen and Total Phosphorus TMDLs for Rainbow Creek. The Shelter Island Yacht Basin TMDL for Dissolved Copper was approved by the State Water Board on September 22, 2005. The TMDL was forwarded to the Office of Administrative Law (OAL) for review and will subsequently be forwarded to the United State Environmental Protection Agency for final approval. The Total Nitrogen and Total Phosphorus TMDLs for Rainbow Creek are scheduled for a Public Workshop and Public Hearing before the State Water Board in November 2005. The TMDLs for Dissolved Copper, Lead, and Zinc in Chollas Creek are tentatively scheduled for a Public Workshop and Public Hearing before the State Water Board in January 2006.

5. Aliso Creek Watershed Bacteria Monitoring (Jeremy Haas)

On October 18, 2005 the Executive Officer issued revised monitoring and reporting requirements to municipalities in the Aliso Creek watershed of Orange County for the investigation of indicator fecal bacteria in the watershed. At the October 12, 2005 Regional Board meeting, the Board provided direction to the Executive Officer to modify the Aliso Creek bacteria monitoring program as requested by the municipalities. Annual reporting of the monitoring investigation is required pursuant to California Water Code Section 13267.

Also at the Board meeting, Board Member Kraus asked for more information about the type of statistical power analyses used by the County of Orange to develop a statistically valid monitoring program. Board Members who would like a copy of the program application can contact Jeremy Haas at jhaas@waterboards.ca.gov.

The statistical power test used by the County is a Microsoft Excel-based program for power analyses for linear trends over time. Bacteria concentrations within Aliso Creek and at the storm drain outfalls display high levels of variability, which makes it difficult

to determine whether changes in the data indicate actual trends. The County's statistical power analyses take the variability into account and develop monitoring frequency scenarios to address specific management objectives for detecting trends.

The two principal objectives of the County's power analyses are: (1) the ability to detect a certain reduction in bacteria concentrations with confidence and (2) the ability to detect that reduction in a certain number of years. Thus, the power analyses estimate the number of samples needed to detect various levels of bacteria reductions over various numbers of years. From those analyses, the municipalities selected practicable monitoring frequencies that are statistically valid within a 10 year timeframe.

Both intra-annual and inter-annual variability in the Aliso Creek bacteria data factored into the statistical power analyses. For instance, summer bacteria concentrations are typically higher than winter concentrations throughout the watershed, and the data demonstrate that the concentrations of bacteria being discharged from a particular storm drain outfall vary from year to year. This variability makes it difficult to confidently recognize statistically significant changes in bacteria concentrations. The power analyses program considers these sources of variance, which helps the program user optimize sampling effort when developing a specific monitoring plan. The program user is able to evaluate various scenarios by adjusting both the number of samples per year and the number of years over which to sample. The program can then predict how much of a bacteria reduction could be confidently determined within each scenario.

6. San Diego Bay Shipyard Sediment Cleanup Project—Order of Proceedings (*John Robertus*) (*Attachment B-6*)

The first Pre-Hearing Conference in the process to issue a cleanup and abatement order for the cleanup of sediments in San Diego was convened on October 26, 2005. The rulings from this conference were issued on October 18, 2005 in the form of an Order of Proceedings document. This order, see Attachment B-6, contains the initial rulings of the Presiding Officer, John Minan, on procedures and schedule for the process to issue a cleanup and abatement order for the cleanup of contaminated sediments adjacent to the leaseholds of National Steel and Shipbuilding (NASSCO) and BAE Systems San Diego Ship Repair (formerly Southwest Marine, Inc.).

7. 14-Mile Border Infrastructure System (*Phil Hammer*) (*Attachment B-7*)

On September 14, 2005, the Department of Homeland Security waived environmental laws as they apply to the U.S. Border Patrol's 14-Mile Border Infrastructure System project. The Border Infrastructure System project is essentially a 14-mile long fencing structure along the U.S./Mexican Border, together with associated access roads, drainage features, etc. The Department of Homeland Security was granted the ability to waive the environmental laws for the Border Infrastructure System project by a provision of the federal Real ID Act of May 2005, which provided the Secretary of Homeland Security the authority to waive all laws as necessary to ensure expeditious construction of barrier projects in border areas. The Department of Homeland Security's invoking of the waiver

has relieved the agency from complying with environmental laws and regulations for the Border Infrastructure System project, including regulation by the Regional Board.

The Border Infrastructure System project crosses numerous watercourses and wetlands, and will result in the filling of approximately 10 acres of waters of the U.S., including riparian areas and coastal salt marsh. A Clean Water Act Section 401 Water Quality Certification is typically required when a project proposes to discharge fill material to waters of the U.S. The U.S. Border Patrol had previously applied for a 401 Water Quality Certification from the Regional Board, but later withdrew its application prior to the enactment of the Real ID Act. The Regional Board met with the U.S. Border Patrol and provided written comments regarding the project on numerous occasions prior to the U.S. Border Patrol's withdrawal of the application.

Following the Department of Homeland Security's waiving of environmental laws for the Border Infrastructure System project, the U.S. Border Patrol met with the Regional Board and other resource agencies to discuss environmental protections for the project. The Regional Board plans to continue to participate in this process.

A newspaper article covering the waiving of the environmental laws for the Border Infrastructure System project is attached.

8. Proposed Gregory Canyon Landfill (*Carol Tamaki and John Odermatt*)

This item is provided to update the Regional Board on recent events relating to the proposed Gregory Canyon Landfill.

Effects from Superior Court Ruling the existing Environmental Impact Report (EIR). The Regional Board will rely upon the adequacy and completeness of the CEQA documents prepared by or under the direction of the County of San Diego (lead agency for CEQA). From information available to us in the San Diego Union Tribune (see on-line <http://www.signonsandiego.com/news/northcounty/20051005-9999-1mi5greg.html>), Superior Court Judge Michael Anello recently ruled that there are deficiencies in several parts of the existing Environmental Impact Report (EIR) prepared for the proposed project. At this time, the Regional Board does not plan to schedule a Board meeting, an agenda item or a public hearing on the proposed project. The Regional Board cannot take an action adopting waste discharge requirements for Gregory Canyon Landfill until the CEQA process is completed and the EIR is properly certified by the lead agency. In the interim the Regional Board will continue to move forward with the development of a tentative Order and supporting technical information.

Public Participation Requirements from CCR Title 27. The Regional Board staff is currently preparing a tentative Order and assembling other technical information. In view of the recent court ruling, we have not yet scheduled a date for the Regional Board to consider adoption of a tentative Order nor have we decided upon the specific procedures the Board will follow to provide a fair opportunity for all parties, and interested persons, to fully participate in the Board's proceedings. Title 27, California Code of Regulations,

section 21730 requires that the Regional Board provide at least 45-days public notice before any Regional Board meeting to consider adoption of tentative waste discharge requirements for any Municipal Solid Waste (Class III) Landfill. In addition, the Regional Board is required to make copies of the agenda package (including the tentative Order) available to the public not less than 30-days before any meeting at which the Regional Board members would consider this issue.

Scheduling an Agenda Item for consideration by the Regional Board. In view of the recent court ruling regarding the inadequacy of the existing CEQA EIR, the staff has not yet scheduled a meeting date for the Regional Board to consider adoption of a tentative Order for the proposed project.

On October 26, 2005, the San Diego Union-Tribune (http://www.signonsandiego.com/uniontrib/20051026/news_1mi26greg.html) and the North County Times (http://www.nctimes.com/articles/2005/10/27/news/inland/fallbrook/21_28_2010_26_05.txt) published stories indicating that the project proponent intends to move forward with the proposed project.

On October 20, 2005, a nonprofit TV station KOCT-TV taped an interview program concerning the Gregory Canyon Landfill. Guests on that episode of the "Voice of Oceanside" included Mr. Barry Martin, Director of the Water Utilities Department for the City of Oceanside, and Ms. Lenore Volturo, Environmental Director for the Pala Band of Mission Indians. Audience participants had an opportunity to ask questions of Mr. Martin and Ms. Volturo. The episode was taped at 7 p.m. on Oct. 20th, and was broadcast on Oct. 24th with several rebroadcasts to follow on later dates. Additional information on this event may be obtained from the North County Times online at: http://www.nctimes.com/articles/2005/09/30/news/coastal/oceanside/21_35_209_29_05.txt

The Regional Board continues to maintain a web site and an email list (currently 86 subscribers to our State Board LYRIS list) to keep the public informed about developments regarding the proposed Gregory Canyon Landfill project. The web page is available at http://www.waterboards.ca.gov/sandiego/programs/units/ldu/Canyon%20Project/gregory_canyon_landfill.html). The staff will continue to update the Regional Board in future Executive Officer Reports.

9. Mission Valley Terminal (*Kelly Dorsey and John Odermatt*)

On October 25, 2005, the Regional Board staff met with our technical consultants (Drs. Margaret Eggers and Paul Johnson) to discuss the following topics: 1.) the recent monitoring results from the ongoing cleanup and abatement of groundwater pollution associated with past discharges of petroleum wastes from the fuel storage and/or conveyance systems at the Mission Valley Terminal, 2.) our recent field observations (on September 28, 2005) of soil vapor sampling protocols used by the consultant (Levine

Fricke – LFR) for the existing vapor extraction system (VES) and staff recommendations for improving those field sampling protocols, and 3.) our technical review of the revised corrective action plan (CAP) submitted by the Discharger in compliance with Addendum No. 5 to Cleanup and Abatement Order No. 92-01.

10. Former MCRD/NTC Landfill (*Brian McDaniel and John Odermatt*)

On October 13, 2005, the Regional Board staff attended a meeting with the Regional Airport Authority (RAA) and the Local Enforcement Agency (LEA) for the City of San Diego. The meeting was convened to discuss plans by the RAA staff and their technical consultants to clean close a significant portion or all of the former Marine Corps Recruit Depot/Naval Training Center (MCRD/NTC) Landfill. The former landfill is located adjacent to civilian airport operations at Lindbergh Field in the City of San Diego. Because of the age and significant uncertainty about the nature of the wastes discharged into at the former MCRD/NTC landfill, the clean closure project may require that the RAA to remove and properly manage significant volumes of burn-ash wastes, municipal solid wastes, contaminated soils, and possibly liquid hazardous wastes. The Regional Board currently regulates the landfill under general waste discharge requirements for inactive and closed landfills (Order No. 97-11 and addenda thereto). The Regional Board staff anticipates that the RAA will develop a proposed project plan that complies with the applicable clean closure requirements in section 21090(f) and 21810 of Title 27 in the California Code of Regulations (CCR).

11. Mission Bay Landfill (*Brian McDaniel and John Odermatt*)

On October 21, 2005, the California Regional Water Quality Control Board, San Diego Region (Regional Board) staff will provide comments on the draft Site Investigation Report, prepared by SCS Engineers, for the Mission Bay Landfill, and attend a meeting of the Mission Bay Landfill Technical Advisory Committee (TAC). The purpose of the meeting is for the TAC members to review and discuss comments on the technical report for the Mission Bay Landfill. The Regional Board staff anticipate that the City of San Diego will make the final site investigation report available on-line for public access sometime after the October 21st Mission Bay Landfill TAC meeting. The City of San Diego has created a web site (at <http://www.sandiego.gov/citycouncil/cd6/crtk/mblandfill.shtml>) allowing the public, and other interested parties, to follow the work of the Mission Bay TAC.

12. Sand Compatibility and Opportunistic Program (SCOUP) (*Dat Quach*)

The Regional Board is providing input to the San Diego Association of Government (SANDAG) on their plan to streamline the regulatory process for discharges of small quantities (less than 50,000 cubic yards) of sand on coastal beaches. The Regional Board regulatory role with these beach replenishment projects is to issue, if applicable, waste discharge requirements and Section 401 water quality certifications to ensure that the projects are conducted in a manner that protects water quality. The primary potential water quality issue with these projects is the threat of causing temporary turbidity and suspended solid nuisance problems for swimmers and other beach users.

An internal draft of the plan entitled, *Final Sand Compatibility and Opportunistic Use of Program Plan*, recently reviewed by the Regional Board, identifies the regulatory agencies' concerns and provides guidance to the project proponents for addressing those concerns. SANDAG expects that the plan will expedite the regulatory process for project proponents by minimizing the time they expend for preparing information, reports and studies.

SANDAG reports that a draft of the plan will be available for public review in the near future. The Regional Board will continue to track the progress of this process improvement activity and assess its application to similar projects.

13. Completion of City of San Diego Fashion Valley Road Culverted Crossing Replacement (*Mike Porter*)

On May 23, 2005, the Regional Board adopted Cleanup and Abatement Order No. R9-2005-0174 for the discharge of debris and pollutants to the San Diego from the collapse of the Fashion Valley Road crossing that occurred on December 30, 2004. The City has satisfactorily cleaned up the debris and pollutants in compliance with the Order.

On October 21, 2005, Mr. Mike Porter, Engineering Geologist with the Regional Board, inspected the replaced Fashion Valley Road crossing and found that the crossing had been replaced and surrounding areas cleaned of trash and debris from the failure of the former crossing. City Council District 6 had a re-opening ceremony on Friday, October 28, 2005. No additional construction is needed for this crossing.

During the June 8, 2005 Regional Board meeting, the Board considered section 401 Water Quality Certification: City of San Diego, Fashion Valley Road River Crossing Repair, San Diego River. There was a discussion of impacts to water quality and beneficial uses and alternatives to avoid and minimize impacts. On June 17, 2005, the Executive Officer issued a Technically-conditioned Water Quality Certification for this project. The conditions required that the City perform hydrology and beneficial uses studies of the lower San Diego River. These conditions had timelines and the City is meeting those timelines. Currently, the Regional Board is reviewing the work plans for the hydrology and beneficial uses studies.

14. San Diego Region Watershed Management Plans (*Bruce Posthumus*) (*Attachment B-14*)
Watershed management plans (WMPs) have been prepared or are under preparation for many watersheds in the San Diego region. Grants administered by the SWRCB have provided funding for preparation of most of these WMPs. Preparation of a watershed management plan provides the opportunity to develop a comprehensive strategy to protect and restore water quality and beneficial uses of water, as well as other aspects watershed health. The attached table identifies San Diego region watershed management plans. The attached narrative discusses watershed protection and restoration at greater length.

PART C
STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION

1. Clean Marina Program Expands Statewide (*Pete Michael*)

In 2004, the *Clean Marina Program--San Diego Region* was organized by individuals in the recreational boating marina industry. The program was organized partly in response to the San Diego Regional Board's efforts in 2003 to regulate waste discharges from coastal marinas.

Mr. Tim Leathers and Mr. Sandy Purdon, chair of the California Boating and Waterways Commission, wrote and distributed a handbook of best management practices for protection of water quality. The Clean Marina Program has been a voluntary industry-sponsored education, inspection, and certification program of marinas and yacht clubs located in four coastal harbors of the Region: Dana Point Harbor, Oceanside Harbor, Mission Bay, and San Diego Bay. By November 1, 2005 the program had certified twenty marinas in the San Diego Region (approaching half the marinas in the Region), and expanded geographically to three marinas in Los Angeles, two in Ventura, one in Alameda, one in Lake Tahoe, and one at Puerto Nuevo, Baja California, Mexico.

On November 8, 2005 the San Diego program will be renamed *Clean Marinas California*, a statewide umbrella organization to be administered through the existing Marina Recreation Association of California. Clean Marinas California will encourage the formation of other regional non-profit industry-sponsored organizations in California and will provide information to those organizations. For further information, see <http://cleanmarinascalifornia.org>.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

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

November 9, 2005

APPENDED TO EXECUTIVE OFFICER REPORT

SIGNIFICANT NPDES PERMITS, WDRs, AND RB ACTIONS

DATE OF REPORT November 9, 2005	NAME OF PERMIT/WDR/RB ACTION	Action Type	Initial Document Application Complete	Dish./RWQ Limits and Monitoring Plan Known	Draft Complete	Public Rev. & Comment	BOARD HEARING & ADOPTION	Consent Item	COMMENTS	Staff
DECEMBER 14, 2005 RB MEETING										
San Diego Regional Board Office										
	DRISCOLL CUSTOM BOATS SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	100%	0%	December 14, 2005	No	NPDES Workplan FY 2005-06	Felix
	DRISCOLL WEST BOATYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	100%	0%	December 14, 2005	No	NPDES Workplan FY 2005-06	Felix
	KOEHLER KRAFT BOATYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	100%	0%	December 14, 2005	No	NPDES Workplan FY 2005-06	Felix
	NIELSEN-BEAUMONT BOATYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	100%	0%	December 14, 2005	No	NPDES Workplan FY 2005-06	Felix
	SHELTER ISLAND BOATYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	100%	0%	December 14, 2005	No	NPDES Workplan FY 2005-06	Felix
	SOUTH BAY BOAT YARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	100%	0%	December 14, 2005	No	NPDES Workplan FY 2005-06	Felix
	KNIGHT & CARVER BOATYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	90%	100%	0%	December 14, 2005	No	NPDES Workplan FY 2005-06	Felix
	ANZA SANITARY LANDFILL CO. OF RIVERSIDE	WDRs Update	100%	80%	100%	0%	December 14, 2005	Yes	WDRs for Landfill Closure	Grove
	CANTARINI RANCH / HOLLY SPRINGS SECTION 401 CERTIFICATION CARLSBAD	WDRs New	100%	100%	80%	0%	December 14, 2005	Yes		Haas
	ENCINA WASTEWATER AGENCY OCEAN OUTFALL DISCHARGE TO PACIFIC OCEAN	NPDES Permit Reissuance	100%	100%	100%	100%	December 14, 2005	Yes		Vasquez
	EASTERN MUN. WATER DISTRICT TEMECULA VALLEY WRF RIVERSIDE COUNTY	WDRs Revision		100%	100%	0%	December 14, 2005	Yes		Cheng
	RESCISSON ORDER--PRE MIX CONCRETE CO. CARLSBAD AND SLOAN CYN SAND CO. DEHESA	WDRs Rescission	NA	NA	100%	10%	December 14, 2005	Yes		Ghoram
FEBRUARY 8, 2006 RB MEETING										
San Diego Regional Board Office										
	REGIONWIDE BACTERIA TOTAL MAXIMUM DAILY LOAD	Hearing: TMDL	NA	NA	50%	0%	February 8, 2006	No	TMDL Workplan FY 2005-06	Arias
	CITY OF SAN DIEGO SOUTH BAY WATER RECLAMATION FACILITY	NPDES Permit Reissuance	100%	90%	50%	0%	February 8, 2006	No	NPDES Workplan FY 2005-06	Kelley
	FALLBROOK PUBLIC UTILITY DISTRICT OCEAN OUTFALL DISCHARGE	NPDES Permit Reissuance	100%	90%	90%	50%	February 8, 2006	No	NPDES Workplan FY 2004-05	Vasquez
	CABRILLO LLC ENCINA POWER PLANT	NPDES Permit	100%	100%	75%	0%	February 8, 2006	No	NPDES Workplan FY 2004-05	Kelley

SIGNIFICANT NPDES PERMITS, WDRS, AND RB ACTIONS

DATE OF REPORT	NAME OF PERMIT/WDR/RB ACTION	Action Type	Initial Document Application Complete	Dish./RWQ Limits and Monitoring Plan Known	Draft Complete	Public Rev. & Comment	BOARD HEARING & ADOPTION	Consent Item	COMMENTS	Staff
November 9, 2005	CARLSBAD	Reissuance								
	OCEANSIDE MARINE CTR. OCEANSIDE HARBOR	NPDES Permit Reissuance	100%	90%	0%	0%	February 8, 2006	No	NPDES Workplan FY 2005-06	Felix
	DRISCOLL MISSION BAY BOATYARD	NPDES Permit Reissuance	100%	90%	0%	0%	February 8, 2006	No	NPDES Workplan FY 2005-06	Felix
	DANA POINT BOATYARD DANA POINT HARBOR	NPDES Permit Reissuance	100%	90%	0%	0%	February 8, 2006	No	NPDES Workplan FY 2005-06	Felix
	JACK AND MARK STIEFEL DAIRY RIVERSIDE COUNTY	NPDES Permit Reissuance	80%	90%	90%	0%	February 8, 2005	No	NPDES Workplan FY 2004-05	Kelley
	FRANK J. KONYN DAIRY SAN PASQUAL VALLEY	NPDES Permit Reissuance	0%	90%	0%	0%	February 8, 2006	No	NPDES Workplan FY 2005-06	Ghoram
	OAK TREE RANCH MOBILE HOME PARK FACILITY EXPANSION SAN DIEGO COUNTY	WDR Revision	100%	100%	0%	0%	February 8, 2006	Yes		Quach
	GENENTEC OCEANSIDE FACILITY BRINE DISCHARGE TO OCEANSIDE OCEAN OUTFALL	NPDES Permit Revision	100%	100%	0%	0%	February 8, 2006	Yes	Ownership change (formally Biogen Idec)	Kelley
	FALLBROOK PUBLIC UTILITY DISTRICT FALLBROOK RECLAMATION PROJECT	WDRs Update Mast. Reclamation	NA	100%	80%	0%	February 8, 2006	Yes	Master Reclamation Req'ts	Vasquez
	MARCH 8, 2006 RB MEETING San Diego Regional Board Office									
	SOUTH ORANGE COUNTY WASTEWATER AUTHORITY--ALISO CREEK OCEAN OUTFALL	NPDES Permit Reissuance	0%	90%	0%	0%	March 8, 2006	No	NPDES Workplan FY 2005-06	Kelley
	SOUTH ORANGE COUNTY WASTEWATER AUTHORITY--SAN JUAN CREEK OCEAN OUTFALL	NPDES Permit Reissuance	0%	90%	0%	0%	March 8, 2006	No	NPDES Workplan FY 2005-06	Kelley
	KAMPEN BROS. (Mr.DeJAGER/BOERSMA) DAIRY RIVERSIDE COUNTY	NPDES Permit Reissuance	0%	90%	0%	0%	March 8, 2006	No	NPDES Workplan FY 2005-06	Ghoram
	APRIL 12, 2006 RB MEETING San Diego Regional Board Office									
	REGIONWIDE BACTERIA TOTAL MAXIMUM DAILY LOAD	Adoption TMDL	NA	NA	50%	0%	April 12, 2006	No	TMDL Workplan FY 2005-06	Arias
	POSEIDON RESOURCES DESALINATION PROJECT CARLSBAD	New NPDES Permit	0%	80%	0%	0%	April 12, 2006	No	NPDES Workplan FY 2005-06	Kelley
	T.D. DAIRY (VAN TOL DAIRY) RAMONA	NPDES Permit Reissuance	0%	90%	0%	0%	April 12, 2006	No	NPDES Workplan FY 2005-06	Ghoram

SANITARY SEWER OVERFLOW STATISTICS (Updated through October 31, 2005)

SEWAGE COLLECTION AGENCY	SYSTEM SIZE ^B		NO. OF SEWAGE SPILLS [LISTED BY FISCAL YEAR (FY) - JULY 1 THROUGH JUNE 30]					SPILLS PER 100 MILES (LISTED BY FY)					SPILL VOLUME 2005-06 ^A	
	Miles	MGD	01-02	02-03	03-04	04-05 ^A	05-06 ^A	01-02	02-03	03-04	04-05	05-06 ^A	GAL	GAL/MG ^C
ORANGE COUNTY:														
EL TORO WD	55	2.2	3	1	3	3	1	5.5	1.8	5.5	5.5	1.8	13,500	49.3
EMERALD BAY SERVICE DISTRICT	6	0.09	0	0	0	1	0	0.0	0.0	0.0	16.7	0.0	0	0.0
IRVINE RANCH WD	36	2.0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0	0.0
LAGUNA BEACH, CITY OF	95	2.4	10	27	8	11	1	10.5	28.4	8.4	12.6	1.1	250	0.9
MOULTON NIGUEL WD	530	13.0	2	1	2	5	0	0.4	0.2	0.4	0.9	0.0	0	0.0
SAN CLEMENTE, CITY OF	179	4.5	6	7	2	5	0	3.3	3.9	1.1	2.8	0.0	0	0.0
SAN JUAN CAPISTRANO, CITY OF	100	3.4	0	0	1	2	0	0.0	0.0	1.0	2.0	0.0	0	0.0
SANTA MARGARITA WD	546	10.7	12	4	5	6	0	2.2	0.7	0.9	1.1	0.0	0	0.0
SOUTH COAST CWD	132	4.0	5	8	7	4	1	3.8	6.1	5.3	3.0	0.8	120	0.2
TRABUCO CANYON WD	43	0.72	0	0	1	3	0	0.0	0.0	2.3	7.0	0.0	0	0.0
RIVERSIDE COUNTY:														
EASTERN MWD	421	9.5	1	3	7	0	0	0.2	0.7	1.7	0.0	0.0	0	0.0
ELSINORE VALLEY MWD	80	2.0	0	0	1	3	0	0.0	0.0	1.3	3.8	0.0	0	0.0
MURRIETA MWD	25	0.5	0	0	1	0	0	0	0	4.0	0.0	0.0	0	0.0
RANCHO CA WD	71	2.9	2	0	1	2	1	2.8	0.0	1.4	2.8	1.4	1,125	3.2
SAN DIEGO COUNTY:														
BUENA SANITARY DISTRICT	84	1.9	0	2	1	2	0	0.0	2.4	1.2	2.4	0.0	0	0.0
CARLSBAD MWD	214	7.2	15	6	6	12	4	7.0	2.8	2.8	4.7	1.9	144	0.2
CHULA VISTA, CITY OF	400	16.0	6	3	1	7	1	1.5	0.8	0.3	1.3	0.3	200	0.1
CORONADO, CITY OF	53	3.8	5	2	5	0	0	9.4	3.8	9.4	0.0	0.0	0	0.0
DEL MAR, CITY OF	30	1.1	2	7	1	0	1	6.7	23.4	3.3	0.0	3.3	3,500	25.1
EL CAJON, CITY OF	198	9.1	2	3	0	3	0	1.0	1.5	0.0	1.5	0.0	0	0.0
ENCINITAS, CITY OF	118	4.1	2	6	1	5	0	1.7	5.1	0.8	4.2	0.0	0	0.0
ESCONDIDO, CITY OF	350	10.8	14	3	2	4	2	4.0	0.9	0.6	1.1	0.6	268	0.2
FAIRBANKS RANCH COMM SERV DIST	15	0.21	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0	0.0
FALLBROOK PUBLIC UTILITY DIST	72	2.0	17	22	9	10	5	23.6	30.6	12.5	13.9	6.9	6,600	26.8
IMPERIAL BEACH, CITY OF	84	2.2	1	14	2	8	2	1.2	16.7	2.4	9.5	2.4	425	1.6
LA MESA, CITY OF	155	5.8	12	3	4	3	0	7.7	1.9	2.6	1.9	0.0	0	0.0
LEMON GROVE, CITY OF	69	2.4	9	4	4	3	0	13.0	5.8	5.8	4.3	0.0	0	0.0

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	Miles	MGD	01-02	02-03	03-04	04-05 ^A	05-06 ^A	01-02	02-03	03-04	04-05	05-06 ^A	GAL	GAL/MG ^C
SAN DIEGO COUNTY (continued):														
LEUCADIA CWD	185	4.2	5	6	1	6	0	2.7	3.2	0.5	2.7	0.0	0	0.0
NATIONAL CITY, CITY OF	97	5.1	0	1	2	1	1	0.0	1.0	2.1	1.0	1.0	800	1.3
OCEANSIDE, CITY OF, WTR UTIL DEP	446	13.0	17	23	22	13	4	3.8	5.2	4.9	3.1	0.9	2,185	1.4
OLIVENHAIN MWD	16	0.39	1	2	0	3	0	6.3	12.5	0.0	18.8	0.0	0	0.0
OTAY MWD	86	1.4	0	3	1	0	0	0.0	3.5	1.2	0.0	0.0	0	0.0
PADRE DAM MWD	150	5.1	4	3	3	1	0	2.7	2.0	2.0	0.7	0.0	0	0.0
PAUMA VALLEY COMM SERVICE DIS	8	0.07	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0	0.0
POWAY, CITY OF	170	4.0	1	5	3	0	1	0.6	2.9	1.8	0.0	0.6	50	0.1
RAINBOW MWD	54	0.74	2	2	6	2	0	3.7	3.7	11.1	3.7	0.0	0	0.0
RAMONA MWD	83	1.3	5	2	2	4	0	6.0	2.4	2.4	3.6	0.0	0	0.0
RANCHO SANTA FE COMM SERV DIST	52	0.44	1	1	0	2	0	1.9	1.9	0.0	3.9	0.0	0	0.0
SAN DIEGO CO, PUBLIC WORKS	380	11.0	4	11	2	2	2	1.1	2.9	0.5	0.5	0.5	33,000	24.4
SAN DIEGO, CITY OF, MWWD	2,894	170	226	193	115	122	33	7.8	6.7	4.0	3.3	1.1	45,883	2.2
SOLANA BEACH, CITY OF	52	1.2	2	1	6	1	0	3.8	1.9	11.5	0.0	0.0	0	0.0
USMC BASE, CAMP PENDLETON	194	3.1	18	23	14	12	6	9.3	11.9	7.2	5.2	3.1	45,720	121.9
US NAVY	123	4.0	24	12	11	13	6	19.5	9.8	9.0	10.6	4.9	4,020	8.2
VALLECITOS WD	202	6.1	4	5	4	6	1	2.0	2.5	2.0	2.5	0.5	520	0.7
VALLEY CENTER MWD	48	0.32	0	3	1	1	0	0.0	6.3	2.1	2.1	0.0	0	0.0
VISTA, CITY OF	198	6.5	4	4	7	9	0	2.0	2.0	3.5	4.6	0.0	0	0.0
WHISPERING PALMS COMM SERV DIS	17	0.26	1	1	0	0	0	5.8	5.8	0.0	0.0	0.0	0	0.0
REGION 9 TOTAL	9615	363	445	427	275	266	73						158,309	
AVERAGE ¹								4.6	4.4	2.9	2.8	0.8		6
STANDARD DEVIATION ²								5.0	7.0	3.4	4.4	1.4		20
MEDIAN ³								2.4	2.4	2.0	2.5	0.0		0

^A Includes available preliminary data for July 1, 2004 through October 31, 2005, and may not include all spills less than 1,000 gallons that did not enter surface waters or storm drains

^B As of June 2003.

^C Volume of spills for the period in gallons divided by the amount conveyed for the period in million gallons

^D Included with Eastern Municipal Water District

¹ The average is the sum of all values divided by the number of values.

² In a normally distributed set of values, 68% of the values are within one standard deviation either above or below the average value.

³ The median is the middle value in a set; half the values are above the median, and half are below the median.

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION	CERTIFICATION ACTION ²
10/13/05	FALLBROOK PUBLIC UTILITY DISTRICT	ROADWAY/TRAIL MAINTENANCE	MAINTENANCE AND REPAIR OF EXISTING FIRE ROADS, TRAILS, AND CULVERTS	UNNAMED TRIBUTARY TO SANTA MARGARITA RIVER			Withdrawn
9/13/05	MICHAEL CREWS DEVELOPMENT II	ROYAL VIEW PROJECT	NINE LOT SUBDIVISION FOR RESIDENTIAL DEVELOPMENT ON 20.4 ACRES.	SAN DIEGUITO RIVER/LAKE HODGES			Withdrawn
10/5/05	CITY OF SAN DIEGO, METROPOLITAN WASTEWATER DEPT.	60TH STREET SEWER REPLACEMENT PROJECT	THIS PROJECT WILL RELOCATE AND OR REPLACE SECTIONS OF THE EXISTING SEWER LINE WITHIN THE CANYON. THIS SEWER LINE IS VULNERABLE TO SPILLS. THE ENTIRE SEWER MAIN WITHIN THIS AREA WILL BE UPGRADED TO A LARGER DIAMETER PIPE.	UNNAMED INTERMITTENT STREAM CHANNEL			Withdrawn
10/24/05	Windle Development CO. LLC	Hibiscus Court Subdivision-TPM 0158	Replacement of Pipes and Widening of Existing culvert to provide access to TPM 0158	unnamed tributary to Chollas Creek			Time expired

8/23/05	RANCHO BELLA BELLA VISTA, LLC	RANCHO BELLA VISTA	CONSTRUCTION OF SINGLE-FAMILY RESIDENTIAL UNITS	UNNAMED TRIBUTARY TO TUCALOTA CREEK	10.82	TECHNICALLY CONDITIONED
10/6/05	Sarjay, LLC (Elliott May & Melissa Price) and Eric Bersztyne	Price-May Single Family Residence on La Cresta Road	Construct drainage crossing for private driveway on Forrester Creek	Forrester Creek		Pre-certified NWP29
10/3/05	PORT OF SAN DIEGO	FENDER PILE REPLACEMENT B STREET PIER	REPLACE FENDER PILES AT B STREET PIER, CROSBY PIER, AND NATIONAL CITY MARINE TERMINAL	PACIFIC OCEAN		LOW IMPACT CERTIFICATION

1. Wetland refers to vegetated waters of the U.S. and streambed refers to unvegetated waters of the U.S. (P) = permanent impacts. (T) = temporary impacts.
2. Low impact certification is issued to projects that have minimal potential to adversely impact water quality. Conditional certification is issued to projects that have the potential to adversely impact water quality, but by complying with technical conditions, will have minimal impacts. Denials are issued when the project will adversely impact water quality and suitable mitigation measures are not proposed or possible. Time expired refers to projects that may proceed due to the lack of an action by the Regional Board within specified regulatory timelines. Withdrawn refers to projects that the applicant or Regional Board have withdrawn due to procedural problems that have not been corrected within one year.

No.	Watershed(s)	ESA	Contractor Name	Contact	Project Title	Description	Grant Program	Contract Amount	Match	Project Total	Status/Reason for Termination	Begin Term	End Term	Contract No.	Contract Manager	File No.
1	Santa Margarita	902	Elmore-Murrilla-Anza Resource Conservation District	Robert Wheeler (909) 677-9182	Lower Warm Springs Creek Restoration	Restoration of lower Warm Springs Creek riparian habitat.	Prop. 13 NPS	\$1,955,000	\$391,000	\$2,346,000	Property owner would not sell property to applicant resulting in loss of project feasibility. Applicant unable to develop a new project or project deviation in timely manner. Applicant sent letter requesting withdrawal of application.	NA	NA	NA	Woodward	
2	San Juan	901	County of Orange Public Facilities and Resources and Resources Department	Chris Crompton (714) 567-6360	Daily Fork Biofiltration Basin in Alliso Creek Watershed	Installation of artificial wetland in Alliso Creek with restoration of channel.	Prop. 13 NPS	\$430,000	\$64,500	\$494,500	Appropriation deadline expired; project unable to obtain 401 certification; funds lost.	NA	NA	NA	Woodward	
3	Sweetwater	910	United States Forest Service	Russ Labak (619) 445-3117	Roberts Ranch Watershed Restoration Project	Project will restore meadows impacted by erosion from Interstate 5 runoff on USFS land near Highway 79.	(319f) Non-Point Source	\$27,000	\$18,000	\$45,000	Work completed in absence of signed contract. Federal 319(f) funds withdrawn when project term ended without a signed contract.	Sept. 1999	Dec-03	?	Smith	
4	Santa Margarita	902	Riverside County Flood Control District	Warren Williams (909) 955-1200	Restoration of Habitat Corridor, Invert of Murrieta Creek Phase I	Project will restore riparian habitat of Murrieta Creek.	319(f) Non-Point Source	\$318,154	\$47,723	\$365,877	Applicant proposed using 319(f) grant funds for implementing habitat mitigation required in a 401 certification. Project was determined to be inconsistent with 401 certification and 319(f) program mandates. Applicant unable to develop a new project or project deviation in timely manner. Applicant sent letter requesting withdrawal of application.	NA	NA	NA	Woodward	
5	Regions 3,4,8,9	Multiple	Environment Now	Jean Hartmann (823) 988-8500	Regional Wetlands & Watershed Management Plan for Coastal Southern California	Project is to help coordinate watershed planning across coastal watersheds in five counties. Grant funds five county task force (Santa Barbara to San Diego) to assess existing watershed management plans, identify planning gaps, and create a restoration project inventory. Project includes education and community outreach.	Prop. 13 WPP	\$607,500	\$290,000	\$897,500	Project successfully completed. Contract closed out	4/15/02	2/15/05	01-156-259-0	Woodward	
6	Clay	910	County of San Diego	Trey Cline (858) 495-3513	Clay River Watershed Management Plan	Project will develop a watershed management plan for the Clay River Watershed.	Prop. 13 WPP	\$200,000	\$745,405	\$945,405	Terminated 8/5/04 (effective 9/5/04); Grantee failed to make adequate progress with insufficient time remaining in the contract term to complete work.	8/1/02	3/31/05	02-096-259-0	Woodward	
7	San Juan	901	City of Laguna Niguel	Ken Montgomery (949) 362-4345	Wetland Capture and Treatment Network	Construct and maintain artificial wetlands to treat urban runoff in the JOSEP2 watershed.	Prop. 13 CNPS	\$153,750	\$190,250	\$344,000	Project successfully completed. Contract closed out	3/1/02	3/31/04	01-122-259-0	Clemente	94-0092.02
8	San Juan, Santa Margarita, San Luis Rey, Sweetwater & Tijuana	900	University of California Cooperative Extension San Diego County Flood Control District	Valerie Molano (760) 724-6329	Reduction of Agricultural Nonpoint Source Pollution in the Coastal Watersheds of San Diego County	Project is to inform agricultural producers about BMPs that reduce nonpoint pollution, and encourage use of these practices.	Prop. 13 CNPS	\$300,000	\$0	\$300,000	Closed Out	3/6/03	3/31/05	02-132-259-0	Woodward	
9	Santa Margarita	902	San Diego County Flood Control District	Joseph Duchesneau (619) 694-3892	Santa Margarita River Watershed Management Plan	Project is to develop a watershed management plan for the Santa Margarita River watershed.	Prop. 13 WPP	\$200,000	\$117,950	\$317,950	Closed Out in good order.	8/31/02	3/31/05	02-040-259-0	Woodward	
10	Los Penasquitos	906	City of San Diego	Keith Greer (619) 236-7258 Randy Rodriguez (619) 236-7258	Los Penasquitos Master Watershed Plan	Project is to develop a watershed management plan for the Los Penasquitos watershed.	Prop. 13 WPP	\$200,000	\$0	\$200,000	Project closed out. Last 5 invoices were rejected (not approved) by the Regional Office (DFA). Approx. 30% of grant will be withheld due to project management by City and failure to submit approvable invoices by April 29, 2005.	7/1/02	3/31/05	02-028-259-0	Woodward	
11	San Diego	907	County of San Diego Department of Environmental Health	Liz Giffen (858) 694-3482	San Diego River Watershed Management Plan	Project will develop a watershed management plan for the San Diego River Watershed.	Prop. 13 WPP	\$197,500	\$0	\$197,500	Closed out in good order.	4/19/02	3/31/05	01-150-259-0	Clemente	
12	Tijuana	911	County of San Diego	Liz Giffen (858) 694-3482	Tijuana River Watershed Management Plan	Project will develop a binational Watershed Vision (i.e. watershed management plan) for the Tijuana River Watershed.	Prop. 13 WPP	\$197,500	\$141,833	\$339,333	Closed out in good order.	9/5/02	3/31/05	02-042-259-0	Clemente	
13	Multiple	900	San Diego County Water Authority	Xen Wernberg (619) 522-6749	Environmental and engineering studies for the San Diego Regional Conveyance Facility.	(1) Environmental and engineering studies of the San Diego Regional Conveyance Facility. (2) Feasibility study of sea water desalination opportunities for supplemental water supply for both the US and Mexico.	Prop. 13 (Sea Side)	\$3,000,000	\$0	\$3,000,000	Closed out in good order. Budget was reduced to \$2,505,420 at grantee's request (per Amendment #2) so not all set-aside funds were used.	10/1/00	3/31/05 (per Amendment #2)	00-141-250-2	Woodward	

California Regional Water Quality Control Board
San Diego Region

ORDER OF PROCEEDINGS
PRE-HEARING CONFERENCE FOR TENTATIVE CLEANUP AND ABATEMENT
ORDER NO. R9-2005-0126.

Date: October 18, 2005

To: Distribution List (designated parties and interested persons)

A Pre-Hearing Conference was held on Monday, September 26, 2005 at the office of the Regional Water Quality Control Board, San Diego Region (Regional Board). Regional Board Chairman John Minan, serving as the Presiding Officer, conducted the hearing on behalf of the Regional Board. The Pre-Hearing Conference was properly noticed and open to and attended by the public. An audio tape recording of the conference proceedings was made.

Additional pre-hearing conferences may be convened.

The primary goal of the Pre-Hearing Conference was to ensure that the future hearing(s) for the Tentative Cleanup and Abatement Order No. R9-2005-0126 (CAO) proceed in an orderly manner. There was no discussion of the merits of any provisions of the Tentative CAO. This Order of Proceedings reflects the nature of the discussions and agreements that occurred at the Pre-Hearing Conference and contains certain procedural decisions by the Presiding Officer. Rulings by the Presiding Officer contained in Paragraphs 1 and 2 and 4 through 11 of this Order are final, subject only to discretionary review by the Regional Board. Written comments pertaining to the contents in Paragraph 3 of his order are requested within 15 working days of the date of this Order.

Attendees at the Pre-Hearing Conference for the recommended and prospective designated parties included the following representatives:

Jim Dragna – Bingham McCutchen LLP (BP West Coast Products)
David Mulliken – Latham and Watkins LLP (NASSCO)
Kelly Richardson – Latham and Watkins LLP (NASSCO)
Vincent Gonzales – Sempra Energy (SDG&E)
Chris McNevin – Pillsbury, Winthrop, Shaw & Pittman LLP (Chevron USA)
Tim Miller – City of San Diego
Chris Zirkle – City of San Diego
Marco Gonzales – Environmental Health Coalition & San Diego Bay-Keeper
David Merk – Port of San Diego
Jim Mathison – Daley & Heft LLP (San Diego)
Shaun Halvax – BAE Systems
Lloyd Schwartz – BAE Systems

David Silverstein – U.S. Navy
Tom Fetter – San Diego Port Tenants Association
Craig Anderson – Industrial Environmental Association
John Richards – Regional Board Cleanup Team

Members of the Public in attendance included:

Gabriel Solmer, Mekoda Mahoney – San Diego BayKeeper
Sonia Rodriguez, Laura Hunter, Georgette Gomez – Environmental Health Coalition
Michelle Russell – Project Navigator
Ed Kimura – Sierra Club
Craig Anderson – Industrial Environmental Association
Brian Wall – Chevron
Barry Snyder – AMEC
Chris Stransky – Nautilus Environmental
Ruth Kolb – City of San Diego
Dean Charles, Ed Modieno – de maximis
David Pohl – Weston Solutions
Russ McCarthy, Lee Wilson – CMSD
Michael Whelan – Anchor Environmental
Carole Farr – Secor
Paul Brown – SDU Port District
Mike Chee – NASSCO
Amy Komatsuzaki – Tetra Tech

The topics addressed in the Pre-Hearing Conference and the respective discussions, agreements, and decisions are as follows:

1. Executive Officer's Participation on the Advisory Team.

The Presiding Officer considered motions objecting to participation by John Robertus, the Regional Board Executive Officer, as a member of the Advisory Team for the Regional Board.

The Presiding Officer placed Mr. Robertus under oath, permitted the parties to examine Mr. Robertus about his involvement in the development of the tentative CAO, his views regarding the need for cleanup of contaminated sediments, and related matters. Mr. Robertus testified that he would be able to provide advice to the Board in an open, unbiased manner based solely on the record and testimony to be presented. No substantial evidence was presented to warrant disqualifying action.

As a result of Mr. Robertus' testimony and his response to questions, the Presiding Officer has determined that Mr. Robertus has not been personally involved in the investigation, prosecution, or advocacy roles of the staff to any extent that would preclude his involvement as a neutral advisor to the Regional Board. The Presiding Officer has further determined that Mr. Robertus has not

developed any biases that would prevent him from providing neutral advice to the Regional Board in this matter.

The Presiding Officer, therefore, has determined that Mr. Robertus may continue to participate on the Advisory Team. The Presiding Officer has determined that Mr. Robertus shall provide all technical, scientific, and policy advice to the Regional Board in public meetings or in correspondence copied to all of the parties.

2. Designation of Parties.

The Pre-Hearing Conference provided an opportunity for persons seeking designated party status to address the Presiding Officer.

The Presiding Officer determined that the Regional Board Cleanup Team is a Designated Party.

The Presiding Officer also considered requests from five persons requesting Designated Party status. Persons requesting Designated Party status submitted written requests and were provided the opportunity to address the Presiding Officer. All Designated Parties were provided the opportunity to comment on each request by persons seeking Designated Party status.

The Presiding Officer has determined that the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the Bay-Keeper, the Environmental Health Coalition, and the San Diego Port Tenants Association to be Designated Parties. Therefore, the San Diego Bay-Keeper, the Environmental Health Coalition, and the San Diego Port Tenants Association are hereby granted Designated Party status.

The Industrial Environmental Association and the Port of San Diego Ship Repair Association are denied Designated Party status. These entities' interests are adequately represented by having some of their members participate as Designated Parties. Moreover, their participation as Designated Parties may impede the orderly and prompt conduct of the hearing. To the extent that the San Diego Port Tenants Association desires to continue to collaborate with these entities, they may, of course, continue to do so. Otherwise, the participation of the Industrial Environmental Association and the Port of San Diego Ship Repair Association is limited to that of interested persons. They may present non-evidentiary policy statements, but may not present evidentiary testimony.

The Advisory Team's proposal to designate the San Diego Bay Council as a Designated Party is hereby rejected. The request for this designation was withdrawn by the Coast Law Group on behalf of the San Diego Bay Council in their correspondence of September 20, 2005.

3. The Proposed Order of Proceeding

The Presiding Officer proposes the following schedule and process. The schedule and process may be revisited by the Presiding Officer in a subsequent Pre-hearing Conference after the Technical Report information in Phase II is distributed by the Cleanup Team.

The following narrative describes the various phases of the schedule and process to be followed. For the convenience of the reader, Appendix A to this Order provides a chronological outline of the phases.

Phase I: Pre-Hearing Conference conducted on Sept. 26, 2005.

Phase II: The Cleanup Team shall make available to all designated parties all available technical information related to the Tentative CAO. The technical information shall include an index of the administrative record for the Tentative CAO, and any proposed revisions to the Tentative CAO. The body of information related to the Tentative CAO shall be referred to as the Technical Report.

In addition, the Cleanup Team, as part of the distribution of the Technical Report, shall provide a specific format for submitted comments to be used by all designated parties throughout the process. The format shall consist of a sequential structure to facilitate the review of submitted comments and the development of responses to comments.

Phase III: The Designated Parties, excluding the Cleanup Team, shall have **90** days after the release and distribution of the Technical Report to conduct any necessary discovery and submit evidence and comments on the Technical Report. All such comments shall be appropriately distributed to all Designated Parties. Also upon the start of the same **90** days of Phase III, the Designated Parties, shall have 30 days to submit to the Advisory Team a nonbinding summary of the areas of disagreement regarding the Tentative CAO.

Phase IV: The Designated Parties shall then have **30** days following the close of the initial 90-day comment period to conduct any discovery, including cross-examination of witnesses, and submission of evidence and comments for the purposes of rebutting evidence and comments submitted under Phase III above. Only rebuttal evidence and related comments will be accepted.

Phase V: The Cleanup Team shall have **60** days to consider all of the evidence and comments submitted under Phases III and IV above, and submit a Response to Comments and any proposed revisions to the Technical Report and/or Tentative CAO. The Cleanup Team should not submit any new evidence in Phase V. In addition, the Cleanup Team shall also provide a summary of all continuing areas of disagreement.

Phase VI: The Cleanup Team shall have **45** days to prepare all necessary documents and make all necessary notifications in preparation of the hearing before the Regional Board.

Phase VII: The Regional Board will then conduct a hearing with the primary purpose to receive comments from the public and summaries of the previously-submitted evidence and comments by the Designated Parties. Cross-examination may be available to the Designated Parties at the discretion of the Regional Board. No new evidence will be admitted at the hearing, subject to the Regional Board's discretion. The public record will be closed at the conclusion of the hearing.

Phase VIII: The Regional Board will subsequently conduct a non-evidentiary meeting to consider whether to adopt, modify, or reject the Cleanup Team's final Tentative CAO. Public comments will be limited to the proposed changes, if any, to the revised Tentative CAO. No new evidence will be admitted at this meeting.

All parties shall provide **12** hard copies of all submissions to the Cleanup Team and shall submit simultaneously distributed electronic versions of all submissions to the complete list of designated parties.

The deadline for the parties to identify any additional potential responsible parties will be **30** days from the distribution of the Cleanup Team's Technical Report.

Written comments pertaining to the contents in Paragraph 3 of this Order are requested within 15 working days of the date of this Order.

4. Consideration of creating a comprehensive list of contested issues of fact and law.

The Presiding Officer directed the designated parties to establish a list of contested material issues of fact and law. This shall occur in accordance with the provisions of Paragraph 3, Phase III above. If the parties are unable to reach agreement, no party will be precluded from raising additional issues.

5. The length and date of the hearing(s).

The Presiding Officer determined that the Designated Parties, the Regional Board, and the public will have a reasonable amount of time to review and comment on the Tentative CAO, the Technical Report and the comments submitted by all parties. Because of the limited time to speak and present information at the hearing and the above limitation on the submission of new evidence at the hearing, the parties should be prepared to focus primarily on advanced written submissions of testimony and evidence.

6. Location of the hearing.

The hearing will likely be conducted in the Regional Board Room; the hearing, however, may be located at a facility in the vicinity of the cleanup site if reasonable arrangements can be made for a suitable site.

7. Participation by non-English speaking persons.

All parties should be aware that non-English speaking persons may be in attendance at the hearing and allowance for translation should be considered.

8. Logistics for the workshops, tours, and other methods for providing background information to the Board Members and the public.

The Presiding Officer does not anticipate any Board Member tours of the proposed cleanup site because of the difficulties inherent in creating a clear record, preventing ex parte communications, and providing for complete public access.

9. Designated Parties Contacts, Organizations, E-mail Address, and Regular Mail Address.

All designated parties shall submit in writing to the Advisory Team any revision to the contact information consisting of the organization representative, email address, and regular mail address.

10. Service to Regional Board Advisory Team:

Michael P. McCann, Supervising Engineer
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, California 93123
Mmccann@waterboards.ca.gov

11. Pre-Hearing Conferences.

The Presiding Officer may schedule subsequent pre-hearing conferences as needed.



JOHN H. MINAN

Presiding Officer of the Pre-Hearing Conference and
Chairman, SDRWQCB

Phase I Pre-Hearing Conference	Phase II Release of Tentative CAO & Technical Report	Phase III 90-Day Public Comment (formatted sequential structure based upon the tent. CAO & Technical Report) Discovery Submission of Evidence List of Unresolved Issues	Phase IV 30-Day Public Comment on the 90-Day Public Comments Additional Discovery Submission of Rebuttal Evidence	Phase V 60-Day Cleanup Team Response to "All Public Comments" No new evidence submitted. Revisions to CAO and/or Technical Report Final List of Unresolved Issues	Phase VI 45-Day Preparation & Noticing of CAO Hearing	Phase VII Hearing on CAO & Proposed Responsible Parties (Record closed at conclusion of hearing.)	Phase VIII Regional Board Meeting Deliberate & Vote on CAO	
26 Sep 2005	Nov 2005*	Dec 2005 to Feb 2006*	Mar 2006*	Apr to May 2006*	Jun to Jul 2006*	Aug 2006*	Sep 2006*	
		90	120	180	225	227	257	
Cumulative Days							0	

*Proposed chronological schedule

Appendix A Outline of Schedule and Process

U.S. Acts to Finish Divisive Border Fence; Environmental laws are waived by the Homeland Security chief to allow last section to be built through wetlands near San Diego

Los Angeles Times - 9/15/05

By Johanna Neuman, staff writer

WASHINGTON - In a rebuff to California officials and environmentalists, the Bush administration cleared the way Wednesday for completion of a 14-mile-long border fence that will run through coastal wetlands to the Pacific Ocean near San Diego.

Homeland Security Secretary Michael Chertoff waived environmental laws for the first time since Congress gave him that authority in May. Finishing the last 3.5 miles of fence is expected to cost about \$32 million.

Combined with older existing fencing along the Mexican border, Chertoff said, the newly completed fence will form a security corridor - including two new roads, additional fencing, stadium-style lighting and surveillance cameras - for U.S. Border Patrol agents.

Border Patrol Chief David V. Aguilar said agents would then have 200 acres to patrol, not 2,000.

"Bottom line, this is about border security," Aguilar told reporters. "We're addressing the vulnerabilities here" in closing a border to potential terrorists.

Reducing the territory that needs patrolling also will deter illegal immigration because of the "certainty of arrest in that zone," he said.

Aguilar pledged that border agents would be "good stewards of the environment," and he blamed much of the area's degradation on border crossers who hide in the wetlands and litter in the area.

With Chertoff's announcement, the department formally waived enforcement of environmental and other laws that had delayed or threatened to delay the project.

In a statement issued by his office, Chertoff promised to "act in an

environmentally responsible manner consistent with the security needs of the nation."

Environmentalists doubt that promise, citing government plans to use soil from a nearby mesa to fill in a canyon, dubbed Smuggler Gulch.

"This will cause a tremendous amount of damage to the Tijuana Estuary, particularly downstream," said Jim Peugh, chairman of the conservation committee for the San Diego Audubon Society. "The waiver means they don't have to respect water quality or endangered species or labor or child safety laws. It's a very chilling precedent."

Federal officials have come to San Diego and "talked, but they don't listen," Peugh said. He argued that the border could be protected "without cutting off the tops of the mesas to fill in the canyon. The problem is they insist on a straight freeway across the canyons. They have chosen to do it in an environmentally damaging way."

Litigation has dogged the project since Congress approved the border fence in 1996. Last year, the California Coastal Commission refused to grant permits to complete the fence, saying the harm to sensitive habitats outweighed security benefits.

The commission's executive director, Peter Douglas, said Wednesday's federal action trumped state law.

"This is a clear victory for the politics of fear," he said. "They were intent on circumventing all the environmental protections we spent decades putting into place. They were able to get through the back door what they couldn't get through the front. And there's nothing we can do about it except mourn the day."

A coalition of environmental groups - the Sierra Club, the San Diego Audubon Society, the California Native Plant Society, the Southwest Wetlands Interpretive Assn., San Diego Baykeeper and the Center for Biological Diversity - had filed a lawsuit alleging that the government had not issued environmental impact statements.

"I don't believe that the waiver can be applied to our litigation," coalition lawyer Cory Briggs said in an e-mail. "We already have a pending suit based on the law that applied when it was filed.... If not for it, there would be nothing standing between the administration and its acting outside the laws."

Gov. Arnold Schwarzenegger has called for balancing environmental and security considerations in completing the fence, which is known as the

Border Infrastructure System.

"The federal government appears to have gone to great lengths to allay and avoid environmental concerns, including public hearings and numerous studies, and Californians appreciate that," Schwarzenegger's office said in a statement on Wednesday.

Outraged by what they considered obstructionism by environmentalists, congressional Republicans passed the Real ID Act in May, which among other things authorizes the Homeland Security secretary to waive any legal requirements that he "determines necessary to ensure expeditious construction" of barriers, like border fences, under his jurisdiction.

Hailing Chertoff's move Wednesday, Rep. Duncan Hunter (R-El Cajon) castigated "the dilatory efforts which have restricted this national security element for so many years." Rep. F. James Sensenbrenner Jr. (R-Wis.), chairman of the House Judiciary Committee, likewise decried those who "stymied [the project] by litigation and obstructionism."

In a statement, Sensenbrenner noted that he had visited Smuggler Gulch in March.

"Individuals literally sat on the border fence, admitting publicly they were waiting for darkness before illegally entering the U.S.," he said. "It was obvious that any terrorist could also sit on the fence and await the fall of night to enter California, at a point less than six miles from the largest U.S. naval installation on the West Coast."

Since the first part of the fence was constructed along more than 10 miles of the border, U.S. officials say, apprehensions of illegal immigrants have fallen, as has other crime. The administration says completing the border fence will help further.

Aguilar said Chertoff's action - which goes into effect Friday when it is published in the Federal Registry - did "not mean we want to build a wall around the Southwest border."

Some environmental and human rights groups think the government is planning nothing less.

"Alarmingly, it does appear that the U.S. government is moving toward constructing a series of mega-fences along the border," said Peter Galvin, director of conservation in San Francisco for the Center for Biological Diversity. "These massive fence projects don't actually cut the number of people crossing, just the location."

When border agents plug a security hole in California, he said, it pushes illegal immigrants to the east, where they encounter harsh, sometimes deadly conditions in the desert.

As for environmental implications, he said, "sealing off the biology between the United States and Mexico is a disaster. These animals don't know political boundaries." #

Watershed Protection and Restoration in the San Diego Region

November 4, 2005

From: Bruce Posthumus
Senior Water Resource Control Engineer
Watershed Management Coordinator

Protection and restoration of water quality is not an end in and of itself; it is a means to achieving the protection and restoration of beneficial uses of water. Degradation of water quality is not the only way in which beneficial uses of water can be lost or degraded, however. One of the driving forces behind efforts to protect and restore the health of watersheds has been recognition that protection and restoration of water quality is not enough to ensure protection and restoration of beneficial uses of water. Watershed protection and restoration has to do with the overall health of a watershed and the resources, functions, and services provided by healthy watersheds, including but not limited to beneficial uses of water. Although water quality and watershed health are related, they are not the same; water quality is one of a number of indicators of watershed health.

Watershed protection and restoration is inherently difficult, due to the cumulative effects of various actions on watershed health and the interconnections between actions and effects, between land and water, between different waters, and between conditions in different parts of a watershed. Watershed protection and restoration efforts are further complicated by the need for, and the difficulty of: 1) resolving legal and jurisdictional matters; 2) reconciling different authorities, missions, responsibilities, visions, priorities, approaches, perspectives, understandings, and levels of awareness; 3) involving residents, landowners, non-profit groups, businesses, tribal groups, and various levels and parts of government; 4) improving communication, coordination, and cooperation; 5) providing adequate funding; 6) making changes in plans, "business as usual," how things are done, and what is done; and 7) simultaneously solving multiple equations, i.e., addressing and meeting the entire array of social, economic, and environmental needs and goals.

Although legal requirements to protect and restore water quality are relatively strong, legal requirements to protect and restore the health of watersheds are relatively weak. In the absence of legal requirements, grant funding has provided some impetus for watershed protection and restoration efforts, even though the amount of funding available has been small in comparison to what is needed. In California, a relatively small amount of grant funding has been made available for preparation of "watershed management plans" (WMPs). A much larger amount of grant funding has favored or been made available only to "implementation projects" that are identified in or consistent with a WMP or other watershed-based plan. (As a result, some WMPs have tended to place an inordinate emphasis on identification of grant-fundable projects, without giving adequate attention to other measures for protection and restoration of watershed health.)

WMPs have the potential to be extremely useful in efforts to protect and restore watershed health. Ideally, a WMP is comprehensive strategy for protection and restoration of the health of a particular watershed. Ideally, a WMP takes into account natural, historical, and existing conditions in the watershed; identifies watershed health problems and threats; and addresses the entire array of current and anticipated future influences on and issues related to the health of the watershed. Ideally, a WMP identifies watershed protection and restoration principles, policies, programs, procedures, practices, and projects which, in turn, are integrated into and implemented through the plans, ordinances, budgets, and actions of governmental organizations, tribal groups, businesses, and non-profit groups, landowners, and residents with jurisdiction, responsibilities, and/or interests in the watershed. Ideally, a broad cross-section of stakeholders in the watershed, i.e., a "watershed council" collaborates to prepare, implement, and update the WMP and address emerging watershed issues as they arise. In practice, for various reasons, the reality of WMPs often falls short of the ideal.

Comprehensive WMPs, as characterized above, are not the same as plans for restoration or enhancement of some discrete part of a watershed, such as a particular wetland, stream, or upland area. Neither are comprehensive WMPs the same as "single-issue" watershed-based plans or programs that address only one watershed issue (e.g., flood protection) or one indicator of watershed health (e.g. water quality). TMDLs and the "watershed urban runoff management programs" (WURMPs) required by SDRWQCB municipal storm water permits are essentially single-issue watershed-based plans. Although a number of issues or indicators are appropriately addressed on a watershed basis, and although "single-issue" watershed-based plans can be useful, implementation of such plans can exacerbate or create other problems if other watershed issues and other watershed health indicators are not adequately considered.

Some sort of WMP has been prepared or is under preparation for many (but not all) watersheds in the San Diego region (see attached table). In some of these watersheds there is some sort of watershed council (see attached table). In several other watersheds, some sort of watershed council participated in the preparation of the WMP, but ceased to function once the WMP was completed. Funding to support the functioning of watershed councils after WMPs are completed has been virtually nonexistent.

Cities and counties have been or are the lead organizations for preparation of a number of San Diego region WMPs (see attached table). Since land use is a significant influence on watershed health, and since cities and counties have land use jurisdiction in much of the region, cities and counties have a pivotal role to play in protection and restoration of watershed health. In large areas of the region where rapid, large-scale land development is occurring or is anticipated to occur in relatively healthy watersheds (or relatively healthy parts of watersheds), decisions of cities and counties about if, where, and how development occurs will have significant long-term consequences for the health of watersheds. In these areas, protecting watershed health (i.e., preventing problems) is critically important, because restoring watershed health after it has been degraded (i.e., fixing problems) can be difficult, costly, and time consuming, if not impossible.

Although WMPs have been prepared for a number of San Diego region watersheds, it remains to be seen whether the concept and practice of watershed protection and restoration will be fully embraced in the San Diego region. Shortcomings in the process by which WMPs were prepared and/or in completed WMPs may hinder efforts to protect and restore the health of watersheds. Unless implemented, even the best WMPs will do nothing to protect or restore the health of watersheds. Since most San Diego region WMPs have been completed fairly recently or are still in preparation, it is generally too early to assess the degree to which they have been implemented and have contributed to protection and restoration of watershed health. Ultimately, the health of the watersheds in the San Diego region is likely to depend not on whether or how WMPs were prepared or on the quality of WMPs, but on the degree to which individuals and organizations within the region recognize and value the resources, functions, and services of healthy watersheds and are committed to watershed protection and restoration.

Also see "Watershed Management Plan Characterization Report for Coastal Southern California," prepared by Environment Now / Southern California Wetlands Recovery Project, at <http://www.lasgrwc.org/WRP/Documents/WMPfinalrpt.pdf>.

HYDROLOGIC UNIT**	AREA**	WATERSHED MANAGEMENT PLAN	STATUS	LEAD ORGANIZATION FOR PREPARATION OF WATERSHED MANAGEMENT PLAN	WATERSHED COUNCIL
San Juan (HU 901)	HSA 901.13 (watershed of Aliso Creek)	Aliso Creek Watershed Management Plan http://www.ocwatershed.com/watersheds/allisocreek_watershed_management_loc.asp	completed ~2002	County of Orange / U.S. Army Corps of Engineers	none
	HA 901.20 (watershed of San Juan Creek)	San Juan Creek Watershed Management Plan http://www.ocwatershed.com/watersheds/pdfs/San_Juan_Creek_WMP_Sep2002.pdf	completed 2002	County of Orange / U.S. Army Corps of Engineers	none
	HSA 901.11, 901.12, 901.14; HA 901.30, 901.40 (watershed of San Mateo Creek) & 901.50 (including watershed of San Onofre Creek)	none??	n/a	n/a	none
Santa Margarita (HU 902)	entire HU (watershed of Santa Margarita River)	Santa Margarita River Watershed Management Plan http://www.santamargaritaproject.org/	completed 2005	County of San Diego	none
San Luis Rey (HU 903)	entire HU (watershed of San Luis Rey River)	San Luis Rey River Watershed Guidelines http://www.projectcleanwater.org/html/ws_san_luis_rey_council.html	completed 2000	San Luis Rey Watershed Council / Mission Resource	San Luis Rey Watershed Council http://www.projectcleanwater.org/html/ws_san_luis_rey_council.html
Carlsbad (HU 904)	entire HU	Carlsbad Watershed Management Plan http://www.projectcleanwater.org/html/ws_carlsbad_plan_network_plan.html	completed 2002	Carlsbad Watershed Network / Resource Conservation District of Greater San Diego County	Carlsbad Watershed Network http://carlsbadwatershednetwork.org/about.php#cnw
	HA 904.10 (watershed of Loma Alta Creek)	Loma Alta Creek Watershed Management Plan http://www.oceansidecleanwaterprogram.org/lac_w.asp	completed 2003	City of Oceanside	none
	HA 904.60 (watershed of Escondido Creek)	Escondido Creek Watershed Action Plan http://www.sanelijo.org/news/news.htm	in preparation	San Elijo Lagoon Conservancy	Escondido Creek Cooperative Agreement partners
San Dieguito (HU 905)	entire HU (watershed of San Dieguito River)	San Dieguito River Watershed Management Plan http://www.projectcleanwater.org/html/ws_san_dieguito_stewardship.html	in preparation	City of San Diego	San Dieguito Watershed Stewardship Initiative Group http://www.projectcleanwater.org/html/ws_san_dieguito_stewardship.html
Peñasquitos (HU 906)	HA 906.10 & 906.20 (watershed of Los Peñasquitos Lagoon)	Los Peñasquitos Watershed Management Plan http://www.projectcleanwater.org/pdf/pen/wmp_los_penasquitos-final.pdf	completed 2005	City of San Diego	none
	HA 6.40 (watershed of Rose Creek)	Rose Creek Watershed Opportunities Assessment http://64.177.5.177/the_opportunities.html	in preparation	San Diego EarthWorks	Rose Creek Watershed Alliance http://64.177.5.177/index.html
	HA 906.30 & 906.50	none??	n/a	none	none
San Diego (HU 907)	entire HU (watershed of San Diego River)	San Diego River Watershed Management Plan http://www.projectcleanwater.org/pdf/sdr/sdr_management_plan-final.pdf	completed 2005	County of San Diego	none
Pueblo San Diego (HU 908)	908.22 (watershed of Chollas Creek)	Chollas Creek Watershed Protection Plan, Demonstration Project http://endeavor.des.ucdavis.edu/nrpi/NRPIDescription.asp?ProjectPK=5472	completed 1993	Environmental Health Coalition	none
	HA 908.10, HSA 908.21, HA 908.30	none??	n/a	n/a	none
Sweetwater (HU 909)	HA 909.20 & 909.30 (watershed of Sweetwater Reservoir)	Sweetwater River Watershed Management Program http://endeavor.des.ucdavis.edu/nrpi/NRPIDescription.asp?ProjectPK=5307	completed 1998	Sweetwater Authority	none
	HA 909.10	none??	none	n/a	none
Otay (HU 910)	HA 910.20 & 910.30 (watershed of Otay River)	Otay River Watershed Management Plan http://dplu-mscp.sdcountry.ca.gov/pub_out/OtayRiverWMPRevised.htm	in preparation	County of San Diego	Otay Watershed Management Plan Working Group http://dplu-mscp.sdcountry.ca.gov/pub_out/WorkingGroupGuidelines.pdf
	HA 910.10	none??	n/a	n/a	none
Tijuana (HU 911)	entire watershed of Tijuana River (entire HU plus entire portion of watershed in Mexico)	Tijuana River Watershed Binational Vision http://trw.sdsu.edu/English/Publications/visionDraft.htm	completed 2005	San Diego State University / County of San Diego	Binational Watershed Advisory Committee http://trw.sdsu.edu/English/Projects/vision/Team/Team.htm

* This is a work in progress; information to correct errors and omissions is welcomed. "Single-issue" watershed-based plans and plans for restoration or enhancement of some relatively small part of a watershed, such as a particular wetland, stream, or upland area, are not listed.

** HU: hydrologic unit
HA: hydrologic area
HSA: hydrologic subarea