

**California Regional Water Quality Control Board**  
**San Diego Region**  
**David Gibson, Executive Officer**



**Executive Officer’s Report**  
**June 19, 2013**

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## **Part A – San Diego Region Staff Activities**

### **1. Presentation to the S3 Symposium on Food Systems and Public Health**

*Staff Contact: Barry Pulver*

San Diego Water Board engineering geologist Barry Pulver gave a presentation on the impacts to water quality from agricultural operations at the Safe-Secure-Sustainable Symposium on Food Systems & Public Health (S3 Symposium) on May 17, 2013. Mr. Pulver informed the group of the threats to water quality due to nutrient loading from agricultural operations and how the San Diego Water Board is addressing these impacts through our Conditional Waiver of Discharges from Agricultural and Nursery Operations (Ag Waiver).

The S3 Symposium is a collaborative venture of federal, state, local and industry environmental health professionals, food producers, academia, and individuals who work together to promote understanding of the interdependency of agricultural production, sea food, food safety, social equity and environmental sustainability.

Information regarding the San Diego Water Board's Ag Waiver and activities to mitigate water quality impacts from agricultural activities may be found on the San Diego Water Board's Regulation of Irrigated Agriculture and Nurseries webpage:

[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/irrigated\\_lands/irrigated\\_ag.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/irrigated_lands/irrigated_ag.shtml)

Information about the S3 Symposium may be found at:

<http://www.californiafood.org/>

## **Part B – Significant Regional Water Quality Issues**

### **1. Stream Pollution Trends Program: Second Report on Initial Trends in Chemical Contamination, Toxicity, and Land Use in California Watersheds (*Attachment B-1*)**

*Staff Contact: Lilian Busse*

The Surface Water Ambient Monitoring Program (SWAMP) supports long-term trend monitoring of aquatic life beneficial use attainment in water bodies throughout the State of California. The Stream Pollution Trends program (SPoT) is one of these long-term trend monitoring programs. Toxicity and a suite of pesticides, trace metals, and industrial compounds are measured annually in sediments deposited near the bases of 100 large, mixed land-use

watersheds throughout the State. In April of 2012, SPoT released its first report on results from data collected in 2008. Information on the first report was summarized in the [June 2012 Executive Officers Report](#). In March of 2013, SPoT released its second report on results from data collected in 2009-2010. Attachment B-1 is the State Water Board's media release announcing the results, titled "*Pyrethroid pesticides increase in latest pollution trends monitoring study of California stream bed sediments.*"

The results from the second report show that from 2008-2010, overall toxicity remained stable with significant toxicity observed in approximately 22% of the sediment samples (with 7% of the samples being identified as highly toxic). Pyrethroid pesticides, manufactured pesticides used in many household insecticides, demonstrated an increasing trend in sediments. In the San Diego region, highly toxic sediment samples were collected in the Tijuana River. Pyrethroids were detected at all sites that were sampled in the San Diego region, and the average total concentration of pyrethroids increased almost five-fold from 2008 to 2010. The Tijuana River had one of the highest pyrethroid concentrations measured in California.

Beginning in 2013, SPoT will be collaborating with the California Department of Pesticide Regulation to evaluate the effectiveness of new label restrictions on the use of pyrethroids in urban applications. Intensive monitoring will be conducted on four sites to determine whether new regulations results in reduced environmental pyrethroid concentrations. Also, SPoT will continue to monitor the SPoT sites over the next several years.

The SPoT report, "*Initial Trends in Chemical Contamination, Toxicity and Land Use in California Watersheds*" is available on the SWAMP website at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/swamp/docs/workplans/spot9rpt.pdf](http://www.waterboards.ca.gov/water_issues/programs/swamp/docs/workplans/spot9rpt.pdf)

The fact sheet is available here:  
[http://www.waterboards.ca.gov/water\\_issues/programs/swamp/docs/workplans/spot9factsht.pdf](http://www.waterboards.ca.gov/water_issues/programs/swamp/docs/workplans/spot9factsht.pdf)

## **2. Monitoring Plan for Cyanotoxins in Lakes/Reservoirs and Coastal Wetlands**

*Staff Contact: Carey Nagoda*

This summer, the San Diego Water Board will conduct a screening study, funded by the Surface Water Ambient Monitoring Program, of cyanotoxins in 10 lakes/reservoirs and 10 coastal wetlands in the San Diego Region.

Harmful cyanobacteria (also known as blue-green algae) blooms potentially impact many of the beneficial uses of the water bodies in the region and can result in major ecological and human health problems. Humans, pets, livestock, and wildlife may be exposed to cyanotoxins in a variety of ways. Cyanotoxins may be (1) ingested inadvertently while participating in various

recreational water activities, (2) inhaled when the toxins become airborne, and (3) consumed when eating contaminated shellfish.

Cyanobacteria can cause harmful algal blooms, as some cyanobacteria produce toxins that are released into the environment when a cell breaks or dies, cell membranes rupture, or algal mats become detached. In addition, these toxins may accumulate through the food web. The toxins released by various cyanobacteria species (cyanotoxins) include neurotoxins (affect nervous system), hepatotoxins (affect liver), and dermatotoxins (affect skin). Symptoms can include fever, headaches, muscle cramps, joint pain, and many others. In the most severe cases, effects can include seizures, liver failure, respiratory arrest, and death. Toxic cyanobacteria have been reported in freshwater, brackish, and marine environments worldwide, and the blooms are likely caused by high nutrient loads transported to surface waters by human activities.

Cyanobacteria blooms have been documented throughout the State of California, and there is evidence that cyanobacteria and cyanotoxins occur in various water body types throughout the San Diego Region. A 2012 screening of streams and depressional wetlands in the San Diego Region detected cyanotoxins at more than 30 percent of the randomly chosen stream sites and at greater than 80 percent of the depressional wetland sites. A regular cyanobacteria and cyanotoxin monitoring program, however, does not currently exist in the Region or in the State of California. The State Water Resource Control Board's Blue Green Algae Work Group (Region 9 members include Lilian Busse and Carey Nagoda) is working toward the goal of educating and notifying the recreating public about harmful cyanobacteria blooms.

Samples will be obtained this summer using discrete (i.e., grab sample) and passive, continuous (i.e., Solid Phase Adsorption Toxin Tracking (SPATT) samplers) methods. SPATT samplers are small devices constructed of resins that adsorb specific toxins, deployed for a fixed amount of time. The screening will be used to determine where cyanotoxins are present, which toxins are present, and to investigate potential correlations between cyanotoxin presence and specific site conditions (e.g., nutrients). All screening results will be summarized in a technical report, and a management summary will be presented to the Board in summer 2014. More information about this study is available in the monitoring plan online at:

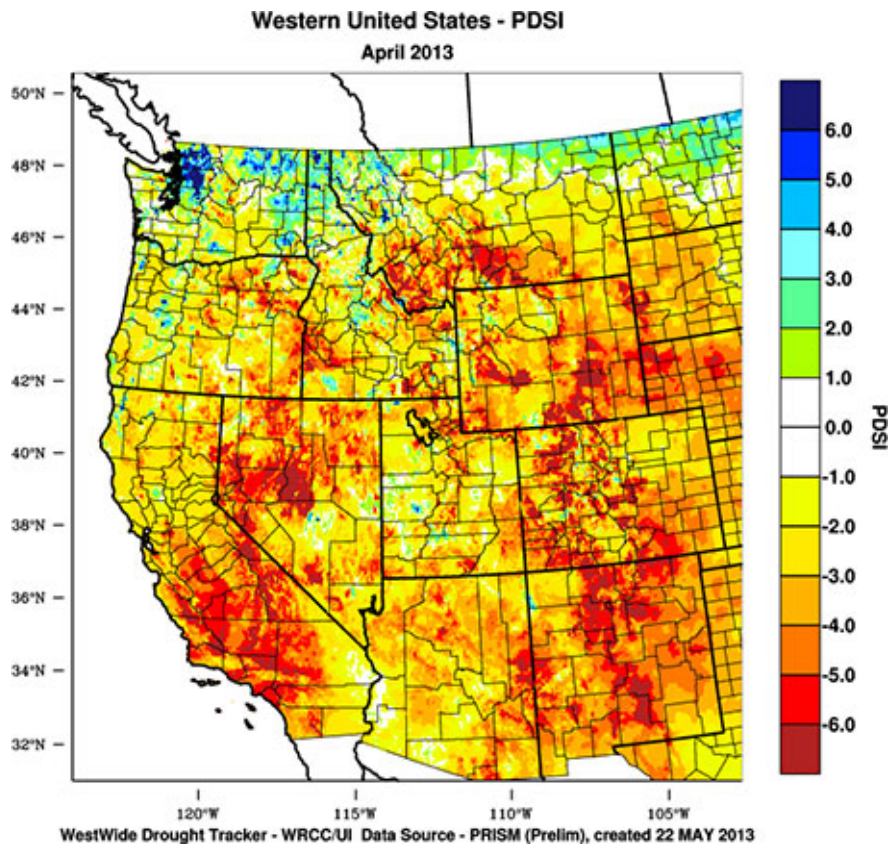
[http://www.swrcb.ca.gov/water\\_issues/programs/swamp/docs/workplans/r9\\_cmplan1213.pdf](http://www.swrcb.ca.gov/water_issues/programs/swamp/docs/workplans/r9_cmplan1213.pdf)

### **3. Drought and Water Supply Update**

*Staff Contact: Julie Chan*

The California Department of Water Resources (DWR) reported that the 2013 January-May period is the driest on record for all regions of the Sierra. Records have been kept since 1920. According to DWR's website, water year 2013 began with a bang, as atmospheric river storms in late November and early December brought record wet conditions to California. The water year is ending with a whimper, however, with record dry conditions being observed in the Sacramento and San Joaquin River basins. Southern California was dry this year too, as well most of the

western United States. The figure below shows that the Palmer Drought Severity Index, or PDSI,<sup>1</sup> is below zero for most of the west.



DWR also noted that snow water content was above normal on January 1, but by May 1, snowmelt and lack of snowfall had been so prevalent that nearly 90 snow courses were bare and the statewide snow water content was about 15 percent of average. Since the beginning of April, the ablation and snow gains in the southern Sierra closely approximates that of the record low year of 1977. Dry conditions prompted DWR to lower its estimated State Water Project deliveries this year to 35 percent of contractors' requests.

Supplies for most areas of the State are expected to be sufficient for the coming summer months. One dramatic exception is the west side of the San Joaquin Valley, where many farmers will receive significantly reduced supplies of irrigation water, both due to dry weather and Delta pumping restrictions to protect sensitive fish species. The early wet start to the water year

<sup>1</sup> The Palmer Drought Severity Index, developed by the National Oceanic and Atmospheric Administration, uses a 0 as normal, and drought is shown in terms of minus numbers; for example, minus 2 is moderate drought, minus 3 is severe drought, and minus 4 is extreme drought.

fortunately resulted in generally good reservoir storage in most of the state's major reservoirs. While reservoir storage will supply most needs this summer, a third dry year without high carryover storage would result in critical shortages in many parts of the State.

#### **4. San Diego City Council Approves Changes to the City's Graywater Policies**

*Staff Contact: Julie Chan*

On April 30, the City Council unanimously approved critical changes to the city's graywater policies to encourage San Diegans to install graywater systems. These systems can help homeowners conserve water and save money. Graywater systems allow untreated wastewater from a home's washing machine, bathtubs, showers and sinks to be recycled on-site for outdoor irrigation uses. In a pilot project, the City of Los Angeles found that graywater reuse has the potential to reduce a household's water use by as much as 50 percent. The new rules, which were vetted by the city's Water Policy Implementation Task Force, will:

- Expand the "no permit" requirement to systems used for landscape irrigation that discharge less than 250 gallons a day.
- Streamline the permitting process for "simple" and "complex" systems that take discharge water from other elements in a residence such as bathtubs and showers.
- Develop a public out-reach and education program to promote gray-water usage.

The San Diego Water Board is in the process of updating its waiver of waste discharge requirements for graywater systems. Staff will review the City's new rules to ensure that the revised waiver aligns as closely as possible with the City's requirements.

#### **5. Agricultural and Nursery Operations Inspections and Compliance Analysis (Attachment B-5)**

*Staff Contacts: Roger Mitchell and John Odermatt*

At the request of San Diego Water Board Members, staff conducted a comparative analysis of levels of compliance between the eight inspected agricultural and nursery operations (Attachment 1) enrolled under the *Conditional Waiver of Waste Discharge Requirements for Discharges from Agricultural and Nursery Operations* (Ag Waiver) and the four inspected operations (Attachment 2) that were not enrolled. Comparisons between the two groups were difficult because of the small sample size. There were, however, a few notable differences. Enrollees excelled in: (1) implementing management measures and/or best management practices; (2) communicating with resource organizations like the Farm Bureau or University of California Cooperative Extension; and (3) maintaining irrigation management records. Staff was surprised to find that only 38 percent of the enrolled operations had satisfied the requirement to

attend 2-hours of water quality management training. Nonetheless, enrollees had better compliance with this requirement than non-enrollees, none of whom had completed the training.

Staff is in the process of completing inspections of randomly selected operations to assess familiarity and compliance with the Ag Waiver (Attachment 3). During the first quarter of 2013, staff contacted 25 operations to set up inspections, and found 3 operations did not meet the criteria to be considered an operation under the Ag Waiver. Of the remaining 22 operations, 12 were inspected, of which 4 operations were found not to be enrolled in the Ag Waiver as either a member of a monitoring group, or as an individual enrollee. While the Compliance Assurance Unit is working with these 4 operations to bring them into compliance with the enrollment requirements of the Ag Waiver, staff plans to complete the remaining 22 inspections as time and project priorities allow.

## 6. Enforcement Actions for April - May 2013

*Staff Contact: Chiara Clemente*

During the months of April - May 2013, the San Diego Water Board issued the following enforcement actions:

<b>April 2013 Enforcement Actions</b>	<b>Number</b>
Cleanup and Abatement Order	1
Settlement Agreement and Stipulation for Order	2
Expedited Payment Letters	5
Notices of Violations	8
Notices of Noncompliance with Storm Water Enforcement Act of 1998	4
Staff Enforcement Letters	20
<i>Total</i>	<i>40</i>

A summary of recent regional enforcement actions is provided below. Additional information on violations, enforcement actions, and mandatory minimum penalties is available to the public from the following on-line sources:

State Water Board Office of Enforcement webpage at:

[http://www.waterboards.ca.gov/water\\_issues/programs/enforcement/](http://www.waterboards.ca.gov/water_issues/programs/enforcement/)

California Integrated Water Quality System (CIWQS)

[http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/publicreports.shtml](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.shtml)

State Water Board GeoTracker database:

<https://geotracker.waterboards.ca.gov/>



**Cleanup and Abatement Order****[Rancho Guejito Corporation, Escondido](#)**

On April 23, 2013, the Executive Officer issued Cleanup and Abatement Order No. R9-2013-0009 to Rancho Guejito Corporation (RGC), pursuant to Water Code sections 13267 and 13304. On or about July 25, 2011, RGC graded a new approximately 6,000 foot (1.14 miles) long road through the property. Grading disturbed 8.59 acres of which 6.49 acres were designated as critical habitat for the Arroyo Toad. The placement of fill impacted 0.04 acre of non-wetland waters of the United States (0.08 acre of waters of the state) and 367 linear feet of streambed. The activities occurred without authorization from the San Diego Water Board. This Order directs the Rancho Guejito Corporation to clean up and abate the effects of the unauthorized discharge of debris, sediment, and fill to Guejito Creek and its unnamed tributaries, and to submit technical reports to the San Diego Water Board.

**Settlement Agreement and Stipulation for Order****[City of San Diego, Pump Station 64 Sewer Spill](#)**

On May 8, 2013, the San Diego Water Board adopted Settlement Agreement and Stipulation for Order No. R9-2013-0032, pursuant to Water Code Section 13385. This Administrative Civil Liability Order formally approves an assessed liability of \$1,245,414 against the City of San Diego for the discharge of untreated sewage from its collection system to Los Peñasquitos Creek, Los Peñasquitos Lagoon, and the Pacific Ocean. The spill occurred on September 8, 2011 when the City's redundant power supply system failed, causing a backup in the collection infrastructure, and subsequent overflow of approximately 2.4 million gallons of sewage. The Order prescribes that half of the assessed liability is suspended upon successful completion of an Enhanced Compliance Action (ECA) involving installation of backup generators for six locations throughout the City's service area where similar power failures could affect wastewater infrastructure, including Pump Station 64. The City has submitted payment of the remaining \$622,707 to the State Water Pollution Cleanup and Abatement Account.

**Expedited Payment Letters**

In February of 2011, the Board endorsed the use of Expedited Payment Letters (EPLs) as an alternative to the formal complaint process for resolving mandatory penalties. If a discharger agrees to the settlement offer, the signed agreement is publicly noticed for a 30-day comment period to comply with federal regulations regarding settlement of Clean Water Act violations. If after 30 days the Board receives no substantive comments in objection to the settlement agreement, the Executive Officer has the delegated authority to approve and finalize the settlement order. The following is a list of recently approved EPLs.

**[Sweetwater Authority, San Diego County](#)**

On April 12, 2013, the Executive Officer accepted EPL No. R9-2013-0031, with the Sweetwater Authority, in settlement of liability totaling \$6,000 of mandatory minimum penalties pursuant to Water Code section 13385(i), for two effluent violations of NPDES Order No. R9-2010-0012.



[South Orange County Wastewater Authority, Aliso Creek Ocean Outfall](#)

On April 15, 2013, the Executive Officer accepted EPL No. R9-2013-0049, issued to the South Orange County Wastewater Authority in settlement of liability totaling \$3,000 of mandatory minimum penalties pursuant to Water Code section 13385(i), for one effluent violation of NPDES Order No. R9-2006-0055.

[MAC Cabinetry, Vista](#)

On April 25, 2013, the Executive Officer accepted EPL No. R9-2013-0020, issued to MAC Cabinetry in settlement of liability totaling \$1,500 of mandatory penalties pursuant to Water Code 13399.33 for failing to submit an annual report pursuant to NPDES Order No 97-03-DWR; *State Water Resources Control Board General Permit For Storm Water Discharges Associated With Industrial Activities*.

[Atlas Wood Products, San Diego](#)

On May 2, 2013, the Executive Officer accepted EPL No. R9-2013-0024, with Atlas Wood Products, in settlement of liability totaling \$1,500 of mandatory penalties pursuant to Water Code 13399.33 for failing to submit an annual report in accordance with NPDES Order No 97-03-DWR; *State Water Resources Control Board General Permit For Storm Water Discharges Associated With Industrial Activities*.

[American Recycling, San Diego](#)

On May 2, 2013, the Executive Officer accepted EPL No. R9-2013-0021, with American Recycling, in settlement of liability totaling \$1,500 of mandatory penalties pursuant to Water Code 13399.33 for failing to submit an annual report in accordance with NPDES Order No 97-03-DWR; *State Water Resources Control Board General Permit For Storm Water Discharges Associated With Industrial Activities*.

**Notices of Violation**[Otay Ventures II, LLC/Landbank Group, San Diego County](#)

Notice of Violation No. R9-2013-0055 was issued to Otay Ventures II, LLC/Landbank Group on April 2, 2013 for violations of Order No. 97-40, *Waste Discharge Requirements for Closure and Post-Closure Maintenance for the Class I Waste Management Containment Cell, Omar Rendering Facility*, and violations of Cleanup and Abatement Order No. R9-2003-0080 for the Former Omar Rendering Facility in San Diego County. The alleged violations include illegal discharge of wastes, unauthorized storage of contaminated groundwater, failure to maintain the drainage facilities, and failure to notify of a change in ownership.

[Pacifica Flowers, Oceanside](#)

Notice of Violation No. R9-2013-0062 and a request for information pursuant to Water Code section 13267 was issued to Pacifica Flowers on April 9, 2013 for failure to enroll in Conditional Waiver No. 4 for Discharges From Agricultural and Nursery Operations, as required pursuant to

Water Code section 13260(a)(1). This violation was identified through a compliance inspection dated January 29, 2013.

[Martinez Farms, Inc., San Diego](#)

Notice of Violation No. R9-2013-0060 and a request for information pursuant to Water Code section 13267 was issued to Martinez Farms, Inc. on April 9, 2013 for failure to enroll in Conditional Waiver No. 4 for Discharges From Agricultural and Nursery Operations, as required pursuant to Water Code section 13260(a)(1). This violation was identified through a compliance inspection dated January 23, 2013.

[All Toyo Lex Auto Recycling, Chula Vista](#)

Notice of Violation No. R9-2013-0077 was issued to All Toyo Lex Auto Recycling Group on April 23, 2013 for violations of Order No. 97-03-DWQ, *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*. The alleged violations include failure to implement structural and nonstructural Best Management Practices (BMPs) and failure to pay annual fees.

[Hale Avenue Resource Recovery Facility, City of Escondido](#)

Notice of Violation No. R9-2013-0081 and a request for information pursuant to Water Code section 13267 was issued to the City of Escondido for a discharge of 249,840 gallons of untreated sewage to waters of the United States in August of 2011 in violation of Order No. 2006-0003-DWQ and Order No. R9-2007-0005, *State and Regional Waste Discharge Requirements for Sewage Collection Agencies*, respectively.

[City of Escondido](#)

Notice of Violation No. R9-2013-0063 was issued to the City of Escondido on May 13, 2013 for failure to obtain a Clean Water Act Section 401 Water Quality Certification (Certification) prior to discharging dredged or fill material (waste) to waters of the US and/or State. By letter dated February 21, 2013, the City of Escondido reported that its maintenance staff had conducted vegetation and sediment removal in approximately 270 linear feet of concrete lined channel without obtaining Certification for the project.

[Eileen Rivard, Temecula](#)

Notice of Violation No. R9-2013-0085 was issued to Eileen Rivard on May 13, 2013 for failure to file a Report of Waste Discharge and failure to comply with Basin Plan Prohibitions 1 & 14. The land owner, Eileen Rivard, cleared and filled approximately 0.028 acres (400 linear feet) of waters of the State to construct a vineyard without proper authorizations. The fill resulted in discharges of waste into a tributary to Santa Gertrudis Creek. This violation was identified through a compliance inspection on March 28, 2013.

[Remec Defense and Space dba COBHAM Defense Electronics, San Diego](#)

Notice of Violation No. R9-2013-0094 was issued to Remec Defense & Space dba COBHAM

Defense Electronics on May 22, 2013 for violations of Order No. 97-03-DWQ, *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*. The alleged violations include failure to implement structural and nonstructural Best Management Practices (BMPs) and were identified through an April 30, 2013 site inspection.

### **Notice of Noncompliance with Storm Water Enforcement Act of 1998**

#### [Atlas Construction Supply Inc., San Diego](#)

A Notice of Noncompliance was sent to Atlas Construction Supply Inc. in San Diego, on April 5, 2013 for failure to enroll in NPDES Order No. 97-03-DWQ, *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*. This Notice was the first to inform the discharger that, pursuant to Water Code section 13399.30(a), failure to enroll is subject to mandatory penalties. If a Notice of Intent to enroll is not submitted within 60 days of the first Notice, the violation will be subject to a mandatory penalty of not less than \$5,000 per year of noncompliance plus staff costs pursuant to Water Code section 13399.33.

#### [Phamatech Laboratories & Diagnostics, San Diego](#)

A Notice of Noncompliance was sent to Phamatech Laboratories & Diagnostics in San Diego, on April 26, 2013 for failure to enroll in NPDES Order No. 97-03-DWQ, *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*. This Notice was the first to inform the discharger that, pursuant to Water Code section 13399.30(a), failure to enroll is subject to mandatory penalties.

#### [AMSWEDE Recycling Inc., Chula Vista](#)

A Notice of Noncompliance was sent to AMSWEDE Recycling Inc. in Chula Vista on May 3, 2013 for failure to enroll in NPDES Order No. 97-03-DWQ, *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*. This Notice was the first to inform the discharger that, pursuant to Water Code section 13399.30(a), failure to enroll is subject to mandatory penalties. If a Notice of Intent to enroll is not submitted within 60 days of the first Notice, the violation will be subject to a mandatory penalty of not less than \$5,000 per year of noncompliance plus staff costs pursuant to Water Code section 13399.33.

#### [E World Recycling Inc., Vista](#)

A Notice of Noncompliance was sent to E World Recycling Inc. in Vista on May 10, 2013 for failure to enroll in NPDES Order No. 97-03-DWQ, *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*. This Notice was the first to inform the discharger that, pursuant to Water Code section 13399.30(a), failure to enroll is subject to mandatory penalties. If a Notice of Intent to enroll is not submitted within 60 days of the first Notice, the violation will be subject to a mandatory

penalty of not less than \$5,000 per year of noncompliance plus staff costs pursuant to Water Code section 13399.33.

**Staff Enforcement Letters (SEL)**

[U.S. Marine Corps Base Camp Pendleton, Southern Regional Tertiary Treatment Plant](#)

An SEL was issued to USMCB Camp Pendleton on April 24, 2013 for multiple unauthorized plant discharges from November 2012 to January 2013 and violations of the reporting requirements contained in NPDES Order No. R9-2008-0096.

[USMCB Camp Pendleton, Southern Regional Tertiary Treatment Plant](#)

An SEL was issued to USMCB Camp Pendleton on April 29, 2013 for an unauthorized plant discharge in February 2013 and violations of the reporting requirements contained in NPDES Order No. R9-2008-0096.

[University of California San Diego, Scripps Institution of Oceanography](#)

An SEL was issued to University of California San Diego, Scripps Institution of Oceanography on May 1, 2013 for violation of the Chronic Toxicity Daily Maximum Effluent Limitation at Outfall No. 3 on July 9, 2012, in accordance with NPDES Order No. R9-2005-0008.

[County of San Diego, Pine Valley Sewage Treatment Plant](#)

An SEL was issued to the County of San Diego, Pine Valley Sewage Treatment Plant on May 6, 2013 for violations of the 12-Month Average Effluent Limitation of Total Dissolved Solids in January, July, and October 2012, in accordance with Waste Discharge Requirements (WDR) Order No. 94-161.

[All Seasons RV Park and Campground, Escondido](#)

An SEL was issued to the All Seasons RV Park and Campground in Escondido on May 6, 2013 for violations of the Daily Maximum Effluent Limitation of Biological Oxygen Demand (BOD) in February, April, May, June, and July 2012, in accordance with WDR Order No. 94-05.

[City of San Diego, North City Water Reclamation Plant](#)

An SEL was issued to the City of San Diego, North City Water Reclamation Plant on May 23, 2013 for violations of the 12-Month Average Effluent Limitation of Manganese in February and March 2013, in accordance with WDR Order No. 97-03.

[City of San Diego, South Bay Water Reclamation Plant](#)

An SEL was issued to the City of San Diego, South Bay Water Reclamation Plant on May 23, 2013 for violations of the 30-Day Average Effluent Chloride Limitation in February and March 2013, in accordance with WDR Order No. 2000-203.

[Rainbow Municipal Water District](#)

An SEL was issued to the Rainbow Municipal Water District on May 31, 2013 for submittal of

an incomplete Notice of Intent (NOI) to enroll in the Conditional Waiver of Waste Discharge Requirements for Agricultural and Nursery Operations (Ag Waiver). The NOI did not provide a detailed description of irrigation, storm water runoff, nutrient, pesticide, erosion control, composting, and other site-specific management measures or best management practices, in accordance with Section 4.I.B.8.d of the Ag Waiver.

#### Staff Enforcement Letters to Agricultural and Nursery Operations

While NOV's have been issued to agricultural operators when noncompliance with multiple waiver conditions was identified through a site inspection, SELs continue to be sent to parties identified as not enrolled in Conditional Waiver No. 4 of waste discharge requirements for agricultural and nursery operations. During the month of April, SELs were sent to 12 additional parties (see table below).

Discharger	Date
Edwin & Cindy Stewart	4/11/2013
Saiid Shakiba	4/11/2013
Jeffrey A. Ziegler Trust	4/11/2013
Carl Eckhardt	4/11/2013
Shirley Falls, LP	4/12/2013
William B. Thompson	4/12/2013
Mohammed & Violetta Fouladi	4/12/2013
John & Brenda Van Otterloo	4/16/2013
Terry Ash	4/19/2013
Eden Hills LLC	4/19/2013
David Wray	4/22/2013
Kaestner Family Trust	4/22/2013

## **7. Sanitary Sewer Overflows (SSOs) March – April 2013 (*Attachment B-7*)**

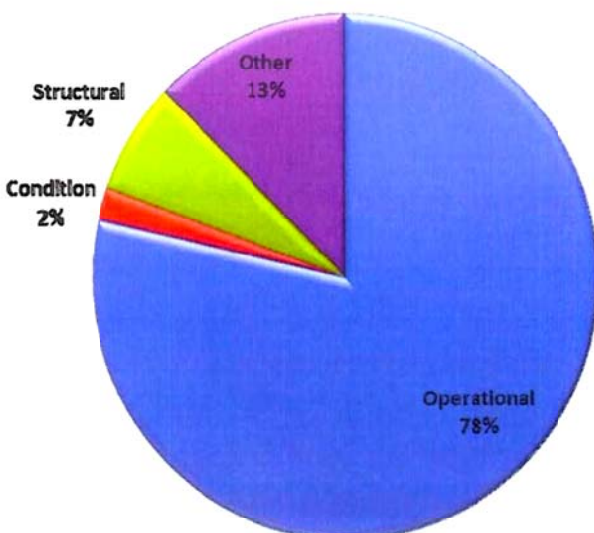
*Staff Contact: Chris Means*

The following is a summary of the sewage spills occurring during March through April 2013 and reported and certified by April 30, 2013. Sewage collection agencies report Sanitary Sewer Overflows (SSOs) on-line using the State Water Board's CIWQS database pursuant to the requirements of State Water Board Order No. 2006-0003-DWQ (*General Statewide Waste Discharge Requirements for Sewage Collection Agencies*). Reports on sewage spills are available on a real-time basis to the public from the State Water Board's webpage at:

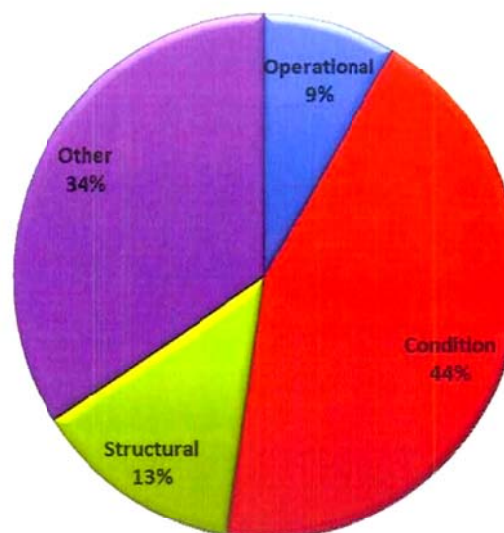
<https://ciwqs.waterboards.ca.gov/>.

The State Water Board has compiled statewide data on the causes of SSOs from September 2007 to June 2012.<sup>2</sup> The data indicate that operational causes (e.g., root intrusion, grease deposition, debris) are responsible for 78 percent of all SSOs statewide. In terms of volumes spilled, these causes resulted in only 9 percent of the reported SSO volume for this time period.

**Percent of SSOs by Cause**



**Percent of SSOs Volume by Cause**



**NOTE:** **Operational** – Includes, SSOs caused by Debris, FOG, Roots; **Condition** – Includes SSOs caused by flow exceeded capacity and Rain flow exceeded capacity; **Structural** – Includes, SSOs caused by pipe structural failures and pump station failure; **Other** – Includes, unknown cause, multiple causes, vandalism, operator error, maintenance, improper installation, valve failure, failure from diversion during construction, siphon failure, inappropriate discharge, and non-sanitary sewer system related.

In addition, the data indicates that SSOs caused by factors related to condition (e.g., flow exceeded capacity) and structural issues (e.g., pipe structural failures, pump) of the reported SSO volume.

**Public Spills:** During March 2013, there were 14 SSOs from public systems in the San Diego Region reported in the CIWQS database. These SSOs included 3 spills of 1,000 gallons or more and 7 spills reaching surface waters, including storm drains. The combined total volume of reported sewage spilled from all publicly-owned collection systems for the month of March 2013 was 10,109 gallons.

During April 2013, there were 17 SSOs from public systems in the San Diego Region reported in the CIWQS database. These SSOs included 4 spills of 1,000 gallons or more and 6 spills that

<sup>2</sup> SSO Reduction Program: Annual Compliance Report, Fiscal Year 2011-2012, available on web at:

[http://www.swrcb.ca.gov/water\\_issues/programs/sso/docs/compliance\\_report\\_fy1112.pdf](http://www.swrcb.ca.gov/water_issues/programs/sso/docs/compliance_report_fy1112.pdf)



reached surface waters including storm drains. The combined total volume of sewage spills reported from all publicly-owned collection systems for the month of April 2013 was 9,655 gallons.

**Reported Private Spills:** Twenty eight discharges of untreated sewage from private laterals were reported during March through April 2013 by the collection agencies pursuant to San Diego Water Board Order No. R9-2007-0005 (*Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region*). These private lateral spills included one spill of 1,000 gallons or more and 7 spills that reached surface waters, including storm drains. The combined total volume of reported sewage discharges from private lateral systems for the months of March through April 2013 was 2,336 gallons.

March – April 2012 and 2013 Comparison:

Month	Rainfall Total (In.)	Public SSOs	Private SSOs
March 2012	0.97	7	16
March 2013	1.22	14	17
April 2012	0.88	11	11
April 2013	0.01	17	11

Attached are three tables titled:

1. “March 2013 Summary of Public Sanitary Sewer Overflows in Region 9”
2. “April 2013 Summary of Public Sanitary Sewer Overflows in Region 9”
3. “Mar - Apr 2013 Summary of Private Lateral Sewage Discharges in Region 9”

Additional information about the San Diego Water Board SSO regulatory program is available at: <http://www.waterboards.ca.gov/sandiego/programs/sso.html>.

## 8. Salt and Nutrient Management Planning Update (*Attachment B-8*)

*Staff Contact: Fisayo Osibodu*

Significant progress is being made by local municipal water and wastewater agencies (agencies) to develop Salt and Nutrient Management Plans (SNMPs) for the more highly used groundwater basins in the San Diego Region. Plan development in several low or no-use basins, however, has yet to begin. The State Water Board's 2009 Recycled Water Policy (Policy) requires local stakeholders to develop SNMPs for each groundwater basin across the State by May 2014.

The Policy requires local stakeholders to develop individual SNMPs that include outreach, groundwater basin characterization, identification and quantification of salinity sources, supplemental monitoring, and assessment of salinity and nutrient management strategies. The Policy also requires Regional Water Boards to revise the implementation chapters of their Basin

Plans based on the SNMPs for those groundwater basins “where water quality objectives for salts and nutrients are being, or are threatening to be, exceeded.” The development of SNMPs in the San Diego Region will provide a framework for effective management of salt and nutrient inputs to groundwater on a watershed basis, will promote long term protection of groundwater supplies, and continued use of recycled water in a manner that does not adversely affect beneficial uses of groundwater. The Policy also provides that agencies implementing a SNMP are entitled to stream-lined permitting of landscape irrigation projects from Regional Water Boards.

Local agencies are following the *Guidelines for Salinity/Nutrient Management Planning in the San Diego Region* (Guidelines)<sup>3</sup> developed by the Southern California Salinity Coalition and the San Diego County Water Authority.<sup>4</sup> The Guidelines establish an approach for prioritizing the Region's groundwater basins, and contain a framework for developing the SNMPs. The prioritization approach groups the groundwater basins into five tiers, A through E, based on storage volumes and yield, level of municipal water supply use, and water quality considerations. The highest level of effort is required for developing the SNMPs for the Tier A basins, while the lowest level of effort is required for developing SNMPs for Tiers D and E.

Local agencies are in the process of developing SNMPs for all five Tier A basins in the Region. SNMPs are also being developed for three of the nine Tier B basins, and for one of the six Tier C basins. The San Diego County Water Authority is working with the San Diego Water Board to incorporate SNMP elements for Tier D and E basins in the next update of the Integrated Regional Water Management (IRWM) Plan. The status of these planning efforts is shown in Attachment A.

The San Diego Water Board and the San Diego County Water Authority have reached out to local agencies operating in the Tier B and C Basins without a planning process to encourage them to begin developing SNMPs, however, no progress has been made to date. These basins are the Pala/Pauma, San Marcos, Santa Maria, Poway, Middle Sweetwater, Valley Center, Keys Creek, Vista, Miramar, and National City<sup>5</sup> groundwater basins. If the San Diego Water Board is unsuccessful in getting voluntary action on the SNMPs, it will consider updating the WDRs for the lead local agencies in these basins to include a requirement to develop and submit a SNMP.

<sup>3</sup> Guidelines: [http://www.waterboards.ca.gov/sandiego/board\\_info/agendas/2010/nov/Item7/Item7\\_Doc2.pdf](http://www.waterboards.ca.gov/sandiego/board_info/agendas/2010/nov/Item7/Item7_Doc2.pdf)

<sup>4</sup> The San Diego Water Board endorsed the Guidelines on November 10, 2010.

<sup>5</sup> See Tier B and C basins listed in Tables 3-3 and 3-4 of the SNMP Guidelines.

## **Part C – Statewide Issues of Importance to the San Diego Region**

### **1. Statewide Compost General Order Update**

*Staff Contact: Roger Mitchell*

The State Water Board held two informational meetings in May to present proposed revisions to the draft *Statewide General Waste Discharge Requirements for the Discharge of Wastes at Compost Management Units* (Compost Order). The draft Compost Order would apply to facilities that compost agricultural material, green material, paper material, vegetative food material, solid food materials, biosolids, manure, or a combination of the above. Activities not regulated by the proposed Compost Order are agricultural composting, chipping and grinding operations, lot clearing for fire protection, fully enclosed composting, and composting of less than 500 cubic yards on site at any time.

The proposed revisions to the Compost Order further clarify existing language, and streamline the proposed regulatory framework. The State Water Board is proceeding with acquiring a consultant to develop an Environmental Impact Report (EIR) to assess the potential environmental impacts associated with the draft Compost Order. State Water Board staff plan to hold a CEQA public scoping meeting during the summer of 2013, followed by the release of the final EIR/Compost Order in later 2014. Adoption of the draft Compost Order could happen in early 2015. To learn more about the draft Compost Order, go to: [http://www.waterboards.ca.gov/water\\_issues/programs/compost/](http://www.waterboards.ca.gov/water_issues/programs/compost/).

The proposed Compost Order is extremely important to the San Diego Region because the State Water Board in 2008 stripped all conditions for composting from the San Diego Water Board's general waivers of waste discharge requirements. Instead, the State Water Board directed its staff to develop a statewide general waiver to replace the Regional Water Boards' various composting waivers. Over time, the State Water Board moved away from the waiver approach and developed the proposed Compost Order. Unfortunately, this path has left the San Diego Region without a regulatory instrument for covering the Region's composting operations. Operators have had to apply for individual waste discharge requirements and pay filing fees, or else be in violation of the Water Code and Basin Plan prohibitions. In the interim, staff is developing conditions for composting operations to include in the general waivers of waste discharge requirements it plans to bring to the Board in June 2014.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

Significant NPDES Permits,  
WDRs, and Actions of the  
San Diego Water Board

June 19, 2013

APPENDED TO EXECUTIVE OFFICER'S REPORT