

California Regional Water Quality Control Board
San Diego Region

David Gibson, Executive Officer



Executive Officer's Report
February 14, 2024

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The February report for the Tentative Schedule of Significant NPDES Permits, WDRs, and Actions, Agenda Items Requested by Board Members, and the attachments noted above are included at the end of this report.

Part A – San Diego Region Staff Activities

1. Personnel Report

Staff Contact: Dulce Romero

An updated San Diego Water Board staff list is available online at: [San Diego Regional Water Quality Control Board Staff List \(ca.gov\)](#).

Recruitment

We are recruiting for six positions: one Scientific Aid, one Water Resource Control Engineer and one Environmental Scientist in the Surface Water Protection Branch; one Water Resources Control Engineer in the Healthy Waters Branch; one Senior Water Resources Control Engineer and one Water Resources Control Engineer in the Site Restoration and Groundwater Protection Branch.

Retirement

Congratulations to Water Resource Control Engineer Kristin Schwall on her retirement; her last day at the San Diego Water Board was January 31, 2024. Kristin worked at the Board for over 34 years and contributed to water quality improvement in the region through her efforts in many programs, including Department of Defense, Storm Water, Water Quality Certifications, National Pollutant Discharge Elimination System Permitting, Total Maximum Daily Loads, and Basin Planning. In retirement Kristin plans to spend more time with family, traveling, and having fun.

Filled Vacancies

The Healthy Waters Branch welcomes our new Scientific Aid, Heidi Fletcher, to the Mission Services Support Unit. Heidi will assist with records retrieval and with the back scanning project, helping digitize our paper files. She will also assist branch staff with administrative tasks for water quality programs. Heidi has a bachelor's degree from San Diego State University with a Cum Laude award in Environmental Sustainability.

The Healthy Waters Branch would also like to welcome Scientific Aid, Vanessa Cacayan to the Mission Services Support Unit. Vanessa will also assist with records retrieval and with the back scanning project. She will also assist branch staff with administrative tasks related to water quality programs. Vanessa has a bachelor's degree from the University of California in Environmental Science and Policy.

The Healthy Waters Branch also welcomes Environmental Scientist, Kate Buckley to the Compliance Assurance Unit. Kate comes from the consulting world with over five years' experience in water quality. She is a San Diego native with a bachelor's degree from UC Davis in Environmental Toxicology. Kate will assist with compliance investigations, overseeing Supplemental Environmental Projects and Enhanced Compliance Projects.

The Site Restoration and Groundwater Protection Branch would like to welcome Olufisayo Osibodu into the Water Sustainability and Protection Unit. Fisayo will work on protecting water quality and beneficial uses from discharges from non-potable recycled water, indirect potable reuse, and direct potable reuse projects. Fisayo will

continue to work on the NPDES permits for the City of San Diego's Pure Water Project and the East County Advances Water Purification Program.

The Surface Water Protection Branch would like to welcome Water Resources Control Engineer, Melissa Corona to the Source Control Regulation Unit. Melissa is transitioning from the Restoration and Protection Planning Unit in the Healthy Waters Branch. She will be working on water quality issues related to the U.S and Mexico Border, including the National Pollutant Discharge Elimination System (NPDES) permit for the South Bay International Wastewater Treatment Plant.

Lastly, Ben Neill has accepted a position as the Senior Water Resources Control Engineer in the Stormwater Management Unit in the Surface Water Protection Branch. Ben is returning to the Surface Water Protection Branch after some time leading the Water Sustainability and Protection Unit. Ben brings with nearly a decade worth of stormwater management experience and over 20 years protecting water quality working at the San Diego Water Board. Ben is a California Licensed Professional Chemical Engineer.

Information regarding our vacancies is located on the CalCareers and San Diego Water Board websites:

<https://calcareers.ca.gov/CalHRPublic/Search/AdvancedJobSearch.aspx>
https://www.waterboards.ca.gov/sandiego/about_us/employment/

2. United States and Mexico Border Water Quality Update (Attachment A-2)

Staff Contacts: Vicente R. Rodriguez and Melissa Corona

Status of Border Infrastructure Repairs and Improvements

Minute 328 of the 1944 United States (U.S.)-Mexico treaty, entitled *Utilization of the Colorado and Tijuana Rivers and of the Rio Grande*, was approved in July 2022. It outlines specific border pollution-related projects planned for 2022-2027 and potential projects for the unspecified future.

Minute 328 projects in progress include repairing the 42-inch PB1A pipeline in Matadero Canyon, expanding the South Bay International Wastewater Treatment Plant (SBIWTP), replacing the San Antonio de los Buenos Wastewater Treatment Plant (SABWTP), repairing the International Collector, and repairing the Los Laureles Pump Station.

On November 30, 2023, the U.S. Section of the International Boundary and Water Commission (USIBWC) reported that Mexico has completed repair and reconnection of the 42-inch PB1A pipeline in Matadero Canyon in the City of Tijuana. Subsequent pressure testing of the pipeline revealed leaks downstream of the repaired portion of the pipeline. Those leaks have since been repaired. Although the PB1A pipeline is now operational, it cannot be operated at full capacity concurrently with the PB1B pipeline that runs parallel to it. This is due to ongoing pipeline improvements in support of the ongoing Mexican highway construction. CESPT reports that the pipeline will be fully operational in the Feb-Mar 2024 timeframe. Therefore, polluted transboundary flows through the main Tijuana River channel continue to exceed 50 million gallons per day (MGD). The USIBWC and the Mexican Section of the International Boundary and Water Commission (CILA) are scheduled to meet on January 25, 2024, to

discuss why there continue to be high flow rates through the main river channel. When operating properly, the PB1A pipeline conveys flows from the main river channel in the City of Tijuana to a shoreline discharge point at Punta Bandera approximately 4.2 miles south of the international border.

On January 9, 2024, USIBWC hosted a pre-proposal conference/site visit for the SBIWTP rehabilitation and expansion progressive design-build solicitation. According to USIBWC, the meeting was attended by 35 contractors from 19 companies. Interested bidders must submit statements of qualifications to USIBWC by February 8, 2024. The three best qualified bidders will be invited to submit their technical and cost proposals for final selection of the design-build contractor. Construction is expected to start within one year of the contract award. The SBIWTP will be expanded from 25 MGD to 50 MGD average treatment capacity, which is expected to reduce transboundary wastewater flows by 90 percent.

The SBIWTP expansion is a core project of the USIBWC and U.S. Environmental Protection Agency (USEPA) June 2023 Joint Record of Decision (ROD) for projects to reduce transboundary water pollution. The cost of the SBIWTP expansion is expected to be approximately \$610 million. In 2020, the U.S. federal government, through USEPA, committed \$300 million in the United States-Mexico-Canada Agreement (USMCA). An additional funding request of \$310 million was announced by President Biden on October 25, 2023, in response to bipartisan efforts by local representatives to increase available funding to match the expected cost of the SBIWTP expansion. In January 2024, elected officials from the City of Imperial Beach and the County of San Diego traveled to Washington D.C. to express support for Congress to authorize and allocate the much-needed supplemental funding.

USEPA and USIBWC have contingency plans if the requested \$310 million is not authorized. To date, funding has not been identified for any of the other eight projects included in the ROD to address transboundary flows. Without full implementation of the ROD, transboundary flows of polluted water and trash are likely to continue to impact the Tijuana River Valley, Tijuana River Estuary, and coastal waters from the international border to the City of Coronado.

January 11, 2024, was the groundbreaking ceremony for the SABWTP. The project is fully funded by Mexico and will include rehabilitation of the existing plant as well as treatment upgrades. Completion of the project is scheduled for September 2024. The new SABWTP will treat 18 MGD, which will reduce the volume of untreated wastewater discharged to the shoreline discharge point at Punta Bandera.

USEPA reported that repairs to the damaged 60-inch International Collector pipeline were approximately 40 percent complete on January 17, 2024, and that repairs to the Los Laureles Pump Station are scheduled for early 2024. Until the pump station has been repaired, USIBWC will continue to capture the daily dry weather flows of wastewater at Goat Canyon and divert them to the SBIWTP for treatment.

Status of Compliance at the SBIWTP

Flows into the SBIWTP were approximately 25 MGD in December 2023 and January 2024. While repairs and rehabilitation efforts described below are underway, USIBWC remains out of compliance with Order No. R9-2021-0001 as amended by Order No. R9-2023-0009, National Pollutant Discharge Elimination System No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission South Bay International Wastewater Treatment Plant Discharge to the Pacific Ocean Through the South*

Bay Ocean Outfall (NPDES Permit) and Cease and Desist Order No. R9-2021-0107 as amended by Order No. R9-2021-0220, *United States Section of the International Boundary and Water Commission South Bay International Wastewater Treatment Plant Discharge to the Pacific Ocean Through the South Bay Ocean Outfall* (CDO) adopted by the San Diego Water Board in 2021. Violations include, but are not limited to, the following:

- Exceedances of secondary effluent standards in the NPDES Permit.
- Failure to submit a Tijuana River Valley Monitoring Plan (TRVMP) Work Plan by September 29, 2021, consistent with Attachment E, Section 4.2.4 of the NPDES Permit. USIBWC is preparing the TRVMP Work Plan through the ongoing binational Minute 320 Water Quality Workgroup.¹
- Re-submittal of at least six self-monitoring reports (SMRs) with reporting errors.

So far, the San Diego Water Board has issued five notices of violation (NOVs) to USIBWC. The San Diego Water Board intends to continue issuing monthly NOVs until USIBWC has attained compliance with the secondary treatment standards in their NPDES permit. Copies of the NOVs and exhibits are attached.

The San Diego Water Board adopted Time Schedule Order No. R9-2023-0189, *United States Section of the International Boundary and Water Commission South Bay International Wastewater Treatment Plant Discharge to the Pacific Ocean Through the South Bay Ocean Outfall* (TSO) on December 18, 2023. The TSO establishes interim reporting requirements and a deadline of August 15, 2024, for return to full compliance with the NPDES Permit and CDO.

The San Diego Water Board is meeting weekly with USIBWC to receive status updates and inspect the SBIWTP. The San Diego Water Board has dedicated a full-time Water Resource Control Engineer to these efforts.

Impacts of January 2024 Storm

The region experienced a significant storm event January 20 - 22, 2024. USIBWC has reported that the SBIWTP did not experience any significant damage as a result of the storm. However, the canyon collectors were overwhelmed with sediment, and USIBWC and Veolia, the plant operator, are working to remove that sediment. The SBIWTP experienced significant flows of up to 75 million gallons per day (MGD) with the storm peak on January 22. Excess flows bypassed the secondary for 11.5 hours with an estimated volume of 24 million gallons (MG).

One of the three effluent pumps went offline during the storm but has been returned to service. New effluent pumps will be installed in late January and early February to provide additional backup. One of the two operational bar screens also went offline due to buildup of sediment. The bar screen has been returned to service.

Hollister pump station flooded with the flooding of Hollister Road. Goat Canyon and Smuggler's Gulch canyon collectors were blocked with sediment. Hollister pump station and

¹ Minute 320 of the 1944 U.S.-Mexico treaty, entitled *Utilization of the Colorado and Tijuana Rivers and of the Rio Grande*, establishes a framework of binational collaboration to address trash, sediment, and water quality issues.

the canyon collectors will require that USIBWC remove the sediment before returning them to operation. USIBWC has advised that transboundary flows will continue in the meantime.

This storm brought the highest peak flow in the Tijuana River since 1993 and the 4th highest peak flow since the USIBWC began operating the river gage in 1962. Peak flow reached 14.5 billion gallons per day (BGD), and flow levels extended across the river channel to both north and south levees.

Status of Repairs to the SBIWTP

USIBWC is working on repairs to the SBIWTP related to deferred maintenance and damage caused by Tropical Storm Hilary in August 2023.

Status of Junction Box 1 (JB1) Repairs/Replacement

When operating properly, JB1 controls flows into the SBIWTP. The USIBWC has been unable to control flows through JB1 since October 3, 2020.

JB1 has two inoperable gate valves, a 72-inch gate valve that connects to the International Collector and a 96-inch gate valve that connects to Junction Box 2. Flows from Mexico to the SBIWTP are regulated at JB1. Because of the two inoperable gate valves, the SBIWTP cannot regulate flows from Mexico and must accept all flows that reach JB1.

The 72-inch gate valve became inoperable on August 28, 2019. The 96-inch gate valve became inoperable on October 3, 2020.

USIBWC has determined that JB1 must be completely replaced. USIBWC planned to employ a temporary fix to allow them to operate JB1 while the permanent replacement of JB1 is pending. However, the gate at JB1 is rusted and unusable, making a temporary fix impossible.

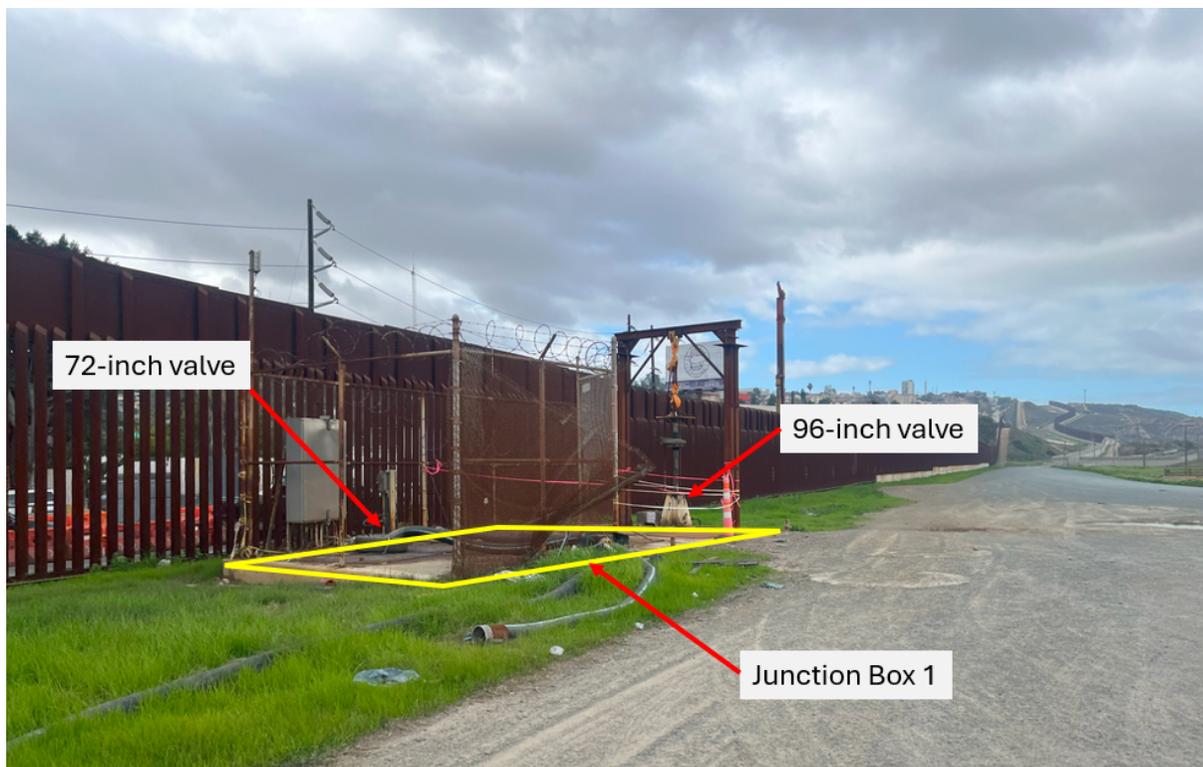


Figure 1: Junction Box 1. (MC 01/10/2024)

USIBWC awarded a contract to completely replace JB1 to Filanc, a design-build contractor, in August 2023. Filanc submitted a schedule to USIBWC on December 5, 2023. USIBWC approved the schedule on December 18, 2023. Filanc began work to design the new junction box. USIBWC must approve the design at two different stages of completion (i.e. 60 and 90 percent). The 60 percent design is due to USIBWC on February 21, 2024. USIBWC will have 15 days to review the design. USIBWC estimates that a new junction box will be installed in early 2025.

Status of Bar Screen Repair

Two of the three automatic bar screens (also referred to as bar racks) are operational. The third bar screen is expected to be repaired by January 31, 2024.



Figure 2: Influent Channels and Bar Screens. (MC 01/10/2024)



Figure 3: Automatic Bar Screen: This is the top end that discharges to a conveyor belt for collection of the debris. (MC 01/10/2024)

Status of Influent Pump Repairs/Replacements

USIBWC reported that three of the six influent pumps are operational. The other three inoperable influent pumps have been removed. USIBWC received delivery of two new pumps in December 2023. USIBWC has indicated that three pumps are sufficient to meet their current needs: one pump (primary) is adequate for daily flows of 25 MGD; a second pump (peak flow pump) is on standby for peak flows; and a third pump is backup for the primary and peak flow pumps as failsafe. If all goes as planned, USIBWC expects five influent pumps to be operational by the end of January 2024, pending assembly and rain delays. USIBWC anticipated that all six influent pumps will be operational by the end of 2024.



Figure 4: Influent Pumps. (MC 1/10/2024)



*Figure 5: Two new influent pumps on the left.
Three inoperable influent pumps on the right that have been pulled for replacement.
(MC 01/10/2024)*



Figure 6: Closer view of one of the two new influent pumps. (USIBWC 12/13/2023)

Status of Grit Chamber Cleaning

As of January 17, 2024, the grit chamber is no longer removing grit from the influent. Veolia submitted a proposal on January 11, 2024, to the USIBWC to clean the grit chamber. USIBWC has some concerns with the proposal and will be meeting on January 18, 2024, to discuss the resubmittal of another proposal. USIBWC expects to award the contract by January 31, 2024.

If all goes as planned, the grit chamber will be cleaned in February 2024. It will take approximately 10 days to clean out the grit chamber. The grit chamber will need to be cleaned before primary settling tank (PST) No. 5 is operational.

Status of the PST Cleaning and Repairs

The primary treatment system at the SBIWTP includes five PSTs, none of which are currently operational.

PST Nos. 1-4 are not operational. They are full of sediment and debris, and influent passes through these PSTs without significant treatment. The chains and flights are not functional and will be replaced. The equipment for PST Nos. 1 and 2 has already been delivered. USIBWC

will be checking the inventory by January 24, 2024. The equipment for PST Nos. 3 and 4 has already been ordered, and delivery is expected in February 2024.

PST No. 5 is not operational, and it has been completely drained and cleaned. USIBWC finished demolition of failed equipment in PST No. 5 on November 28, 2023, and has since installed the drive chain, flights, wear strips, and drain valves. Cleaning of the mixing chamber for this PST is expected to be completed by January 30, 2024. USIBWC and Veolia estimate the status of this PST rehabilitation at 85 percent complete. A new skimmer trough is expected to be delivered by April 2024. Veolia has requested the manufacturer to expedite the delivery. The manufacturer will have a response to the expedited request at the end of January 2024. The existing trough is working as of today, but USIBWC is unsure that it will continue working once the PST is operational.

If the delivery of the trough cannot be expedited, USIBWC states that it will need to reevaluate whether to bring the PST online with the existing skimmer trough. USIBWC will make this evaluation as it moves closer to bringing the PST online.

Once PST No. 5 is operational, USIBWC plans to clean and rehabilitate PST Nos. 1 and 2 (replace the chain, flights, and other equipment) followed by PST Nos. 3 and 4.

USIBWC expects to have three PSTs operational by Summer 2024, and all PSTs operational by December 2024. USIBWC states that operation of three PSTs by July should be adequate to return the SBIWTP to compliance with secondary treatment standards by the compliance date of August 15, 2024, contingent on the SBIWTP receiving reasonable flows despite JB1 not being operational until 2025.



Figure 7: PST No. 5: 85 Percent Rehabilitation Complete. (MC 01/10/2024)



Figure 8: Existing Skimmer Trough at PST No. 5. (MC 01/10/2024)



Figure 9: Mixing Chamber at PST No. 5 Needs Cleaning. (VRR 12/20/2023)



Figure 10: PST No. 1: Inoperable. (MC 01/10/2024)

Status of Secondary Treatment Repairs and Replacement

The secondary treatment system at the SBIWTP includes seven aeration tanks and 13 secondary sedimentation tanks. USIBWC plans to replace pumps, motors, mixers, waste activated sludge pumps, and non-potable pumps in the secondary treatment in 2024 as part of its capital improvements project package referred to as the Pumps and Motors Package. Veolia sent the final proposal to USIBWC on January 5, 2024. USIBWC is currently reviewing this proposal.

Once the PSTs are operational and the flow rate is below 25 MGD, USIBWC and Veolia expect the SBIWTP to be in compliance with secondary treatment requirements, with a trend towards compliance visible within the first month. Veolia expects the effluent from the primary treatment system not to overload the secondary treatment system, resulting in Total Suspended Solids (TSS) results dropping from 300 mg/L to below 100 mg/L.



Figure 11: Secondary Aeration Tank. (MC 01/10/2024)



Figure 12: Secondary Settling Tank. (MC 01/10/2024)

Status of Canyon Collector Pump Stations

There are two canyon collector pump stations: Goat Canyon Pump Station and Hollister Pump Station.

The Goat Canyon Pump Station is fully operational. It moves flows from the Goat Canyon Collector to the Hollister Pump Station. The Goat Canyon Pump Station has four pumps, all of which need to be replaced. USIBWC expects to award a contract to replace the pumps sometime before September 30, 2024.

The Hollister Pump Station moves flows from the Smuggler's Gulch Canyon Collector and from the Goat Canyon Pump Station to the SBIWTP. The Hollister Pump Station has four pumps, three of which are operational. Two of the pumps were replaced with new pumps in 2023, and the other two will be replaced in 2024.

Excessive sediment has been transported by transboundary flows to Smuggler's Gulch due to a large construction project in Matadero Canyon. This impedes the operation of the Smuggler's Gulch canyon collector and the pumps at the Hollister Pump Station.



Figure 13: Mexican Construction Project in Matadero Canyon. (MC 01/10/2024)

Status of State of California Projects to Mitigate Transboundary Pollution

Three projects in the Tijuana River Valley were funded by Senate Bill 170 through the State Water Resources Control Board Division of Financial Assistance:

- Tijuana River Flood Control Trash Control Structure (\$4.73 million – Rural Community Assistance Center)
- Smuggler's Gulch Improvement Project (\$4.25 million – County of San Diego)
- Tijuana River Valley Hydrology and Habitat Restoration (\$2 million – County of San Diego)

Each of the three projects are deeply rooted in the 13 years of coordinated federal, State of California (State), local agency, and non-governmental organization efforts in the Tijuana River Valley Recovery Team to restore and protect water quality. They were originally proposed in the 2012 *Tijuana River Valley Recovery Strategy: Living with the Water* and refined and analyzed in the 2020 *Tijuana River Needs and Opportunities Assessment Report*.

The Tijuana River trash control project involves the design, construction, and operation and maintenance of a floating trash boom system for two consecutive storm seasons in the main channel of the river, immediately downstream of the international border. Installation is expected to be complete by the beginning of the 2024-2025 storm season. This is a

demonstration project. The information gathered will be used to develop permanent trash control infrastructure.

The Smuggler's Gulch improvement project features construction of a full-scale sediment and trash control basin and dredging to remove accumulated sediment, trash, and debris in Smuggler's Gulch and the Tijuana River Pilot Channel. The accumulated sediment, trash, and debris contribute to flooding, which threatens public and private properties and critical habitats. In February 2024, the County of San Diego will dredge up to 30,000 cubic yards of sediment, trash, and debris from Smuggler's Gulch and the Tijuana River Pilot Channel. The basin is currently in the design phase.

The Tijuana River Valley habitat and hydrology restoration project will remediate contaminated property adjacent to the Tijuana River. In January 2024, the County of San Diego started preparing the site for the upcoming demolition and removal of on-site structures at the property containing hazardous materials, such as asbestos and lead.

All three projects will be completed by fall 2027.

Status of Advance Restoration Plan (ARP)

The San Diego Water Board developed the draft *Lower Tijuana River Indicator Bacteria and Trash Advance Restoration Plan for Total Maximum Daily Loads* (draft ARP) to address water quality impairments through an implementation plan with actions to restore and maintain water quality standards. The ARP was initially drafted as a total maximum daily load (TMDL) pollution control plan. Waters with an ARP remain on the Clean Water Act Section 303(d) List of Water Quality Limited Segments (303(d) List) until requirements to remove the 303(d) listing are met. If the lower Tijuana River remains on the 303(d) List due to indicator bacteria and trash despite implementation of the ARP, the San Diego Water Board will adopt TMDLs as an amendment to the *Water Quality Control Plan for the San Diego Basin (9)*.

The San Diego Water Board posted the draft ARP on its website for public review and comment on January 10, 2024, and will accept written comments until March 13, 2024. The San Diego Water Board will host an in-person public workshop and a separate virtual public workshop on February 26 and 28, 2024, respectively. The purpose of the public workshops is for the San Diego Water Board to: (1) provide an overview of the draft ARP; (2) receive verbal comments from interested parties on the draft ARP; and (3) in accordance with Assembly Bill 2108, receive verbal comments on any concerns related to environmental justice or potential impacts on water quality for disadvantaged communities and/or Native American Tribes due to the draft ARP's future implementation.

Minute 320

USIBWC and CILA held a two-day meeting in Imperial Beach and Tijuana on November 30 and December 1, 2023, to review projects identified for further development in both countries to address sediment, trash, and water quality. Most of the projects under consideration are source control or pollution management projects.

3. South Bay International Wastewater Treatment Plant (SBIWT) Receiving Waters Update

Staff Contact: James Chhor

Regulatory Background

The South Bay International Wastewater Treatment Plant (SBIWTP) was constructed in 1996 in a joint United States (U.S.)-Mexico effort pursuant to Minute 283 of the 1944 U.S. Mexico *Treaty Regarding the Utilization of the Tijuana and Colorado Rivers and of the Rio Grande* to end daily transboundary sewage flows. The U.S. and Mexican sections of the International Boundary and Water Commission (IBWC) agreed to expand the sewage collection system in Tijuana and connect it to a U.S. located wastewater treatment plant as well as construct and operate a Tijuana River diversion system and tributary canyon interceptors. The SBIWTP was operated between 1996 and 2010 as a primary wastewater treatment facility and was upgraded to secondary treatment standards in 2011 following the facility upgrade that resulted from the decision in federal court on litigation filed by the San Diego Water Board in 2001.

The SBIWTP is regulated under the Clean Water Act in National Pollutant Discharge Elimination System (NPDES) Permit Order No. R9-2021-0001 as amended by Order No. R9-2023-0009, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission South Bay International Wastewater Treatment Plant Discharge to the Pacific Ocean Through the South Bay Ocean Outfall*. Since October 2020, the SBIWTP has been negatively impacted by influent flows from Mexico exceeding design capacity. Excessive flows carrying sediment and trash have caused interference, upset, and equipment failure, leading to diminished treatment and exceedances of secondary effluent limitations as well as increased discharges from the South Bay Ocean Outfall (SBOO). On December 18, 2023, the San Diego Water Board adopted Time Schedule Order No. R9-2023-0189 (TSO), to bring the SBIWTP into compliance with the NPDES Permit and Cease and Desist Order No. R9-2021-0107 adopted by the San Diego Water Board in 2021, as amended in March 2023 by Order No. R9-2023-0009.

Water Quality Impacts

The San Diego Water Board documented impaired water quality in coastal waters due to uncontrolled releases of sewage in Resolution 53-5 and received complaints of such impairments since the 1930s. In every year since 2010, beaches in Imperial Beach and Border Field State Park have been closed between 100-365 days per year due to elevated fecal coliform bacteria levels resulting from transboundary flows of untreated or partially treated sewage from Mexico in the Tijuana River or from discharges on the coast in Mexico, most notably at Punta Bandera. The sewage has impacted recreation and tourism as far north as Coronado and impaired training at the U.S. Navy Seal Training facility on the Silver Strand between Imperial Beach and Coronado.

The discharge of treated effluent from the SBIWTP to the Pacific Ocean through the South Bay Ocean Outfall (SBOO) has been identified by members of the public and the press as a significant source of the water quality issues, including beach closures and adverse effects to wildlife and human health. However, discharges from the SBIWTP are only one of several sources contributing to the water quality issues. Other sources include, but are not limited to, effluent from the South Bay Water Reclamation Plant (SBWRP), daily transboundary and

stormwater flows in the Tijuana River from Mexico, and wastewater discharges in Mexico to ocean waters south of the international border.

Transboundary flows consist of wastewater and stormwater from residential and industrial sources in Mexico that are conveyed by the Tijuana River or coastal canyons to the Tijuana River Estuary (Figure 14). The Tijuana River Estuary then meets the Pacific Ocean approximately 1.24 miles North of the international border. Stormwater in the U.S. also drains to the Tijuana River Estuary. Shoreline discharges of untreated wastewater about 4.2 miles south of the border in Mexico at Punta Bandera from the San Antonio de los Buenos Wastewater Treatment Plant (SABWTP) also travel north by ocean currents to San Diego's southern coastal waters.

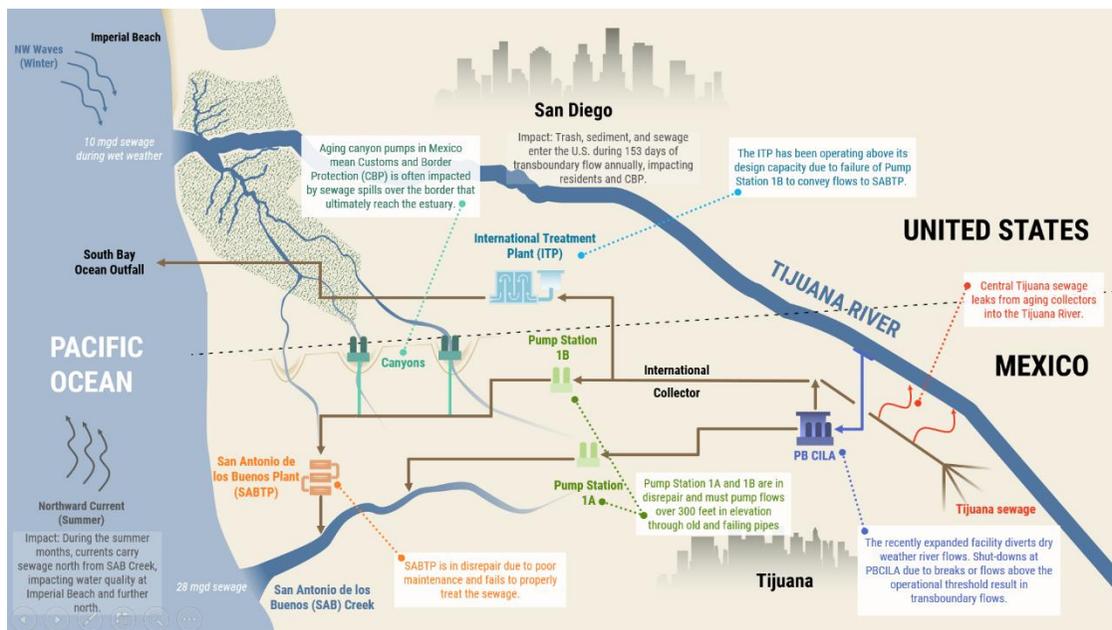


Figure 14: Tijuana River Valley and Border Wastewater Infrastructure

Several studies have been conducted to identify the sources that contribute to poor water quality and the most impactful of projects to improve water quality conditions. One such study was published on October 28, 2021, by Feddersen et al., *Modeling Untreated Wastewater Evolution and Swimmer Illness for Four Wastewater Infrastructure Scenarios in the San Diego-Tijuana (US/MX) Border Region*. The study can be found here:

<https://agupubs.onlinelibrary.wiley.com/doi/full/10.1029/2021GH000490>.

Feddersen et al. (2021) modelled three scenarios with modified flows from SABWTP or the Tijuana River compared against a baseline scenario with no infrastructure changes to estimate the potential reduction in human illness from impacted beaches. The scenarios are as follows:

- Baseline – two million gallons per day (MGD) diversion from the Tijuana River to SBIWTP with 35 MGD of untreated discharge from SABWTP
- Scenario A – 35 MGD diversion from the Tijuana River to SBIWTP with 10 MGD of treated discharge from SABPWTP
- Scenario B – 100 MGD diversion from the Tijuana River to SBIWTP with 35 MGD of untreated discharge from SABWTP

- Scenario C – 163 MGD diversion from the Tijuana River to SBIWTP with 35 MGD of untreated discharge from SABWTP.

The projected flow and concentration of untreated wastewater from the Tijuana River and SABWTP are shown in Figure 15 where the discharge from SABWTP can travel up to 6.21 miles per day. Feddersen et al. (2021) estimated that Scenario A led to the largest reduction in swimmer related sickness and beach impact. However, it should be noted that the reduction in human illness and beach impact in Scenario A primarily holds true during the dry season when SABWTP is a dominant source of poor water quality. During the wet season, polluted runoff is conveyed into the U.S. through the Tijuana River and tributary canyons and causes gross water quality impact in coastal waters. In both 2022 and 2023, flows were consistently high in the Tijuana River throughout the year resulting in continuous beach closures in Border Field State Park and Imperial Beach and impacting coastal waters and beaches north to Coronado.

Figure 15: Modeling Untreated Wastewater Evolution and Swimmer Illness for Four Wastewater Infrastructure Scenarios in the San Diego-Tijuana (US/Mexico) Border Region

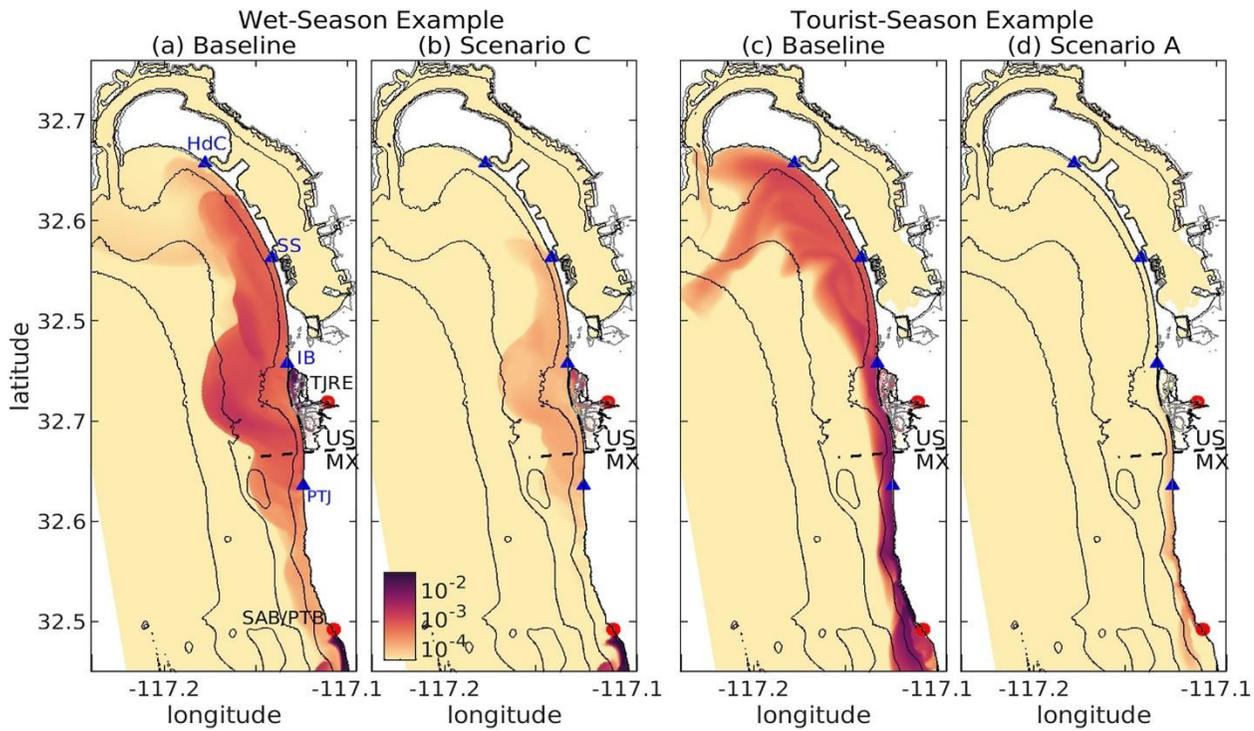


Figure 15 Figure 4 from Feddersen et al. (2021). (a) and (b) show the wet season projection for January 3, 2017, and (c) and (d) show the tourist season (dry season) projection for January 3, 2017. The scale represents the concentration of wastewater in ocean waters where a value of 10^{-2} would be 1.0 percent of wastewater to ocean water, displayed in dark purple, and a value of 10^{-4} would be 0.01 percent of wastewater to ocean water, displayed in the pale yellow. Scenario A and B for the wet season (not displayed) are similar to the wet season baseline projection (a). Scenario B and C for the dry season (not displayed) are similar to the dry season baseline projection (c). Most of the estimated elevated concentration of wastewater to ocean water is within 1.24 – 1.86 miles of the shoreline during the wet season and 0.62 miles of the shoreline during the dry season.

The SBOO is jointly owned by the U.S. Section of the International Boundary and Water Commission (USIBWC) and the City of San Diego. The SBOO was constructed for the conveyance of discharges from the SBIWTP, owned by USIBWC, and the SBWRP, owned by the City of San Diego. As required by the NPDES permits for the SBIWTP and the SBWRP, the City of San Diego conducts an extensive receiving water monitoring program to evaluate potential effects associated with SBOO discharges to the Pacific Ocean. Figure 16 displays the monitoring stations associated with Point Loma Ocean Outfall (PLOO) and SBOO. Bacteriological monitoring sites for the SBOO are differentiated by location type where surf zone sites are highlighted yellow, kelp sites are highlighted green, and offshore sites are highlighted blue.

Figure 16: Monitoring Stations for the Point Loma and South Bay Ocean Outfalls

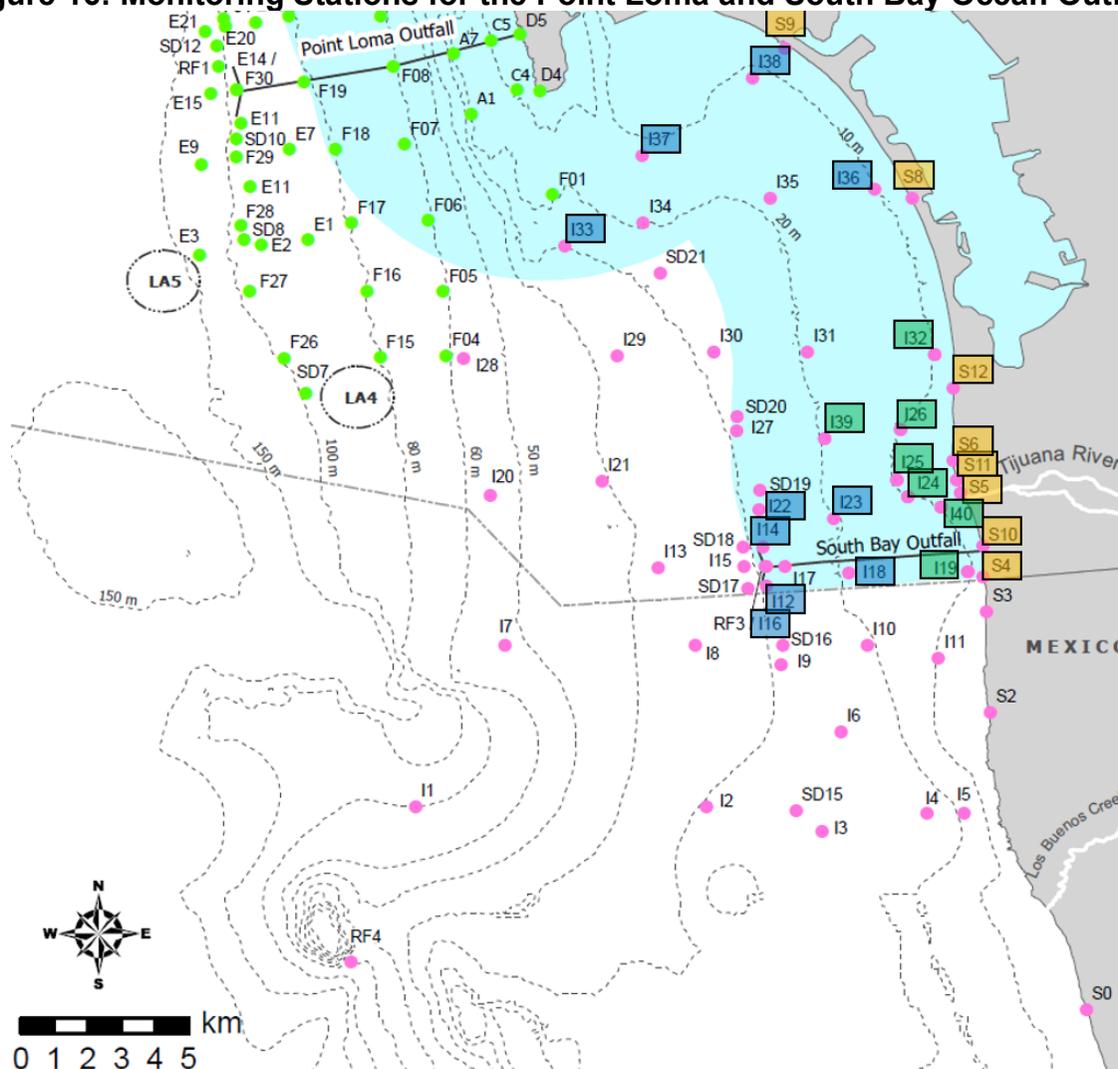


Figure 16 Figure 1.1 from Interim Receiving Waters Monitoring Report for the Point Loma and South Bay Ocean Outfalls. Monitoring stations for PLOO are represented with green dots and SBOO with pink dots. Bacteriological monitoring sites for SBOO are differentiated by location type where surf zone sites are highlighted yellow, kelp sites are highlighted green, and offshore sites are highlighted blue.

The City of San Diego's most recent *Interim Receiving Waters Monitoring Report for the Point Loma and South Bay Ocean Outfalls* summarizes the monitoring results between January 2022 and December 2022 (Interim Report) and discusses bacteriological monitoring, benthic conditions, community composition of fishes and invertebrates, and contaminants in fish tissues. The Interim Report generally states that all monitoring results were consistent with conditions documented in previous years with only a few changes to local receiving waters. Some of the results are discussed below. The full Interim Report can be found here: [https://www.sandiego.gov/sites/default/files/2023-11/2022 InterimReceivingWatersMonitoringReportPLOOSBOO.pdf](https://www.sandiego.gov/sites/default/files/2023-11/2022%20InterimReceivingWatersMonitoringReportPLOOSBOO.pdf).

Enterococcus, Total Coliform, and Fecal Coliform Monitoring

In their Interim Report, the City of San Diego provides a summary of the monitoring performed for *Enterococcus*, total coliforms, and fecal coliforms at shore, kelp, and offshore locations. Monitoring sites for bacteriological monitoring are listed in Table 1 and can be viewed in Figure 17.

Table 1. South Bay Ocean Outfall Bacteriological Monitoring Sites Within Waters of the United States

Monitoring Location Type	Monitoring Sites									
Shore	S4	S5	S6	S8	S9	S10	S11	S12		
Kelp	I19	I24	I25	I26	I32	I39	I40			
Offshore	I12	I14	I16	I18	I22	I23	I33	I36	I37	I38

The City of San Diego reports that for 2022, *Enterococcus*, total coliform, and fecal coliform levels remained largely in compliance with the requirements in the *Water Quality Control Plan for Ocean Waters of California* (Ocean Plan) for offshore monitoring sites, but compliance was reduced and highly variable at shore and kelp monitoring sites and appeared to coincide with stormwater flows from terrestrial sources.

The City of San Diego states that receiving water quality compliance with the Ocean Plan was reduced when compared to previous years, likely due to issues at the SBIWTP. Since October 2020, the SBIWTP has been negatively impacted by influent flows from Mexico exceeding design capacity. Excessive flows carrying sediment and trash have caused interference, upset, and equipment failure, leading to diminished treatment and increased wastewater flows to the SBOO.

Based on the preliminary findings of a plume tracking study for the SBOO, the City of San Diego states that there is no evidence that wastewater discharged into the ocean via the SBOO reaches nearshore recreational waters. This is consistent with the findings in Feddersen et al. (2021) which identified the SABWTP and the Tijuana River, not the SBOO, as the primary sources of bacteriological concerns prevalent in the nearshore environment in southern San Diego's coastal beaches.

Benthic Sediment and Benthic Invertebrate Communities

To characterize the benthic conditions around SBOO, the City of San Diego monitors the benthic sediment for particle size, chemistry, and toxicity and identifies communities of small benthic invertebrates that live in or on the sea-floor habitats surrounding SBOO. Figure 17 displays the City of San Diego's monitoring stations for PLOO and SBOO as well its regional monitoring stations.

The Interim Report states there was no evidence of fine particle loading related to discharges from SBOO. Contaminant concentrations at or near the zone of initial dilution were also within the range of variability observed throughout southern California coastal areas and do not appear to have significant organic enrichment from untreated wastewater. Sediment toxicity results report high survival rates greater than 90 percent for species exposed to sediments from sampled locations. Benthic invertebrate community assemblages and conditions remain in good overall health compared to reference stations from the Southern California Bight.

Overall, the City of San Diego reports that the results from the studies were all within historical ranges and representative of habitats throughout the Southern California Bight.

Demersal Fishes and Large Invertebrates

In 2022, the City of San Diego conducted several otter trawl surveys across 13 locations within San Diego's coastal waters to characterize demersal fish and large invertebrate species. Seven of the locations are situated around SBOO. Two of those seven locations are within 1,000 meters of the outfall structures and are considered to represent nearfield conditions. The City of San Diego states in their Interim Report that demersal fish and large invertebrate communities were not impacted by discharges from SBOO. As a part of the monitoring, the City of San Diego also recorded any physical abnormalities or external parasites when they identified and inspected fish. For the survey locations associated with SBOO in 2022, only one out of 48 (2.1 percent) Hornyhead turbot had an external parasite and 2 out of 2,555 (0.078 percent) speckled sanddabs had an external parasite. Communities were similar between nearfield sites and other monitoring sites across San Diego's coastal waters. Metrics such as species richness, abundance, and diversity were all within historical ranges.

Figure 17: Benthic Monitoring Stations for the Point Loma and South Bay Ocean Outfalls and Regional Monitoring

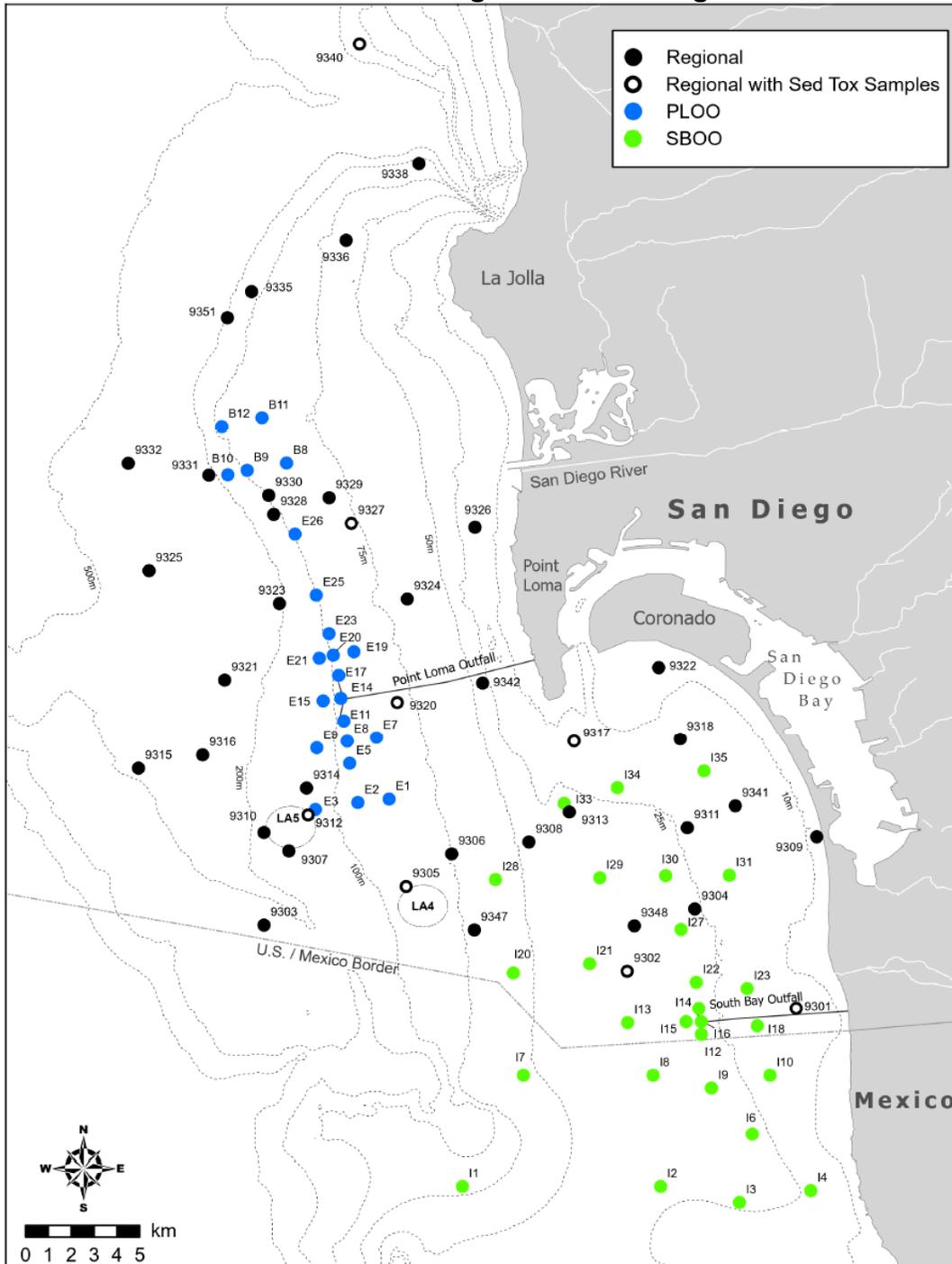


Figure 17 Figure 3.1 from the Interim Receiving Waters Monitoring Report for the Point Loma and South Bay Ocean Outfalls. The City of San Diego's benthic monitoring stations for PLOO are represented with blue dots, SBOO with green dots, and regional monitoring sites are black dots with open black dots differentiating sediment toxicity sample sites.

Contaminants in Marine Fishes

To evaluate the presence of contaminants in fish tissue, liver tissue from primarily trawl-caught fishes and muscle tissue from hook-and-line caught fishes were analyzed by the City of San Diego. Preliminary analysis by the City of San Diego saw no evidence of accumulations of contaminants related to SBOO discharges. If contaminants in liver or fish tissue were detected, results were generally similar across the capture methods as well as location so no trends could be detected.

City of San Diego Meeting Summary

On January 25, 2024, the San Diego Water Board and the City of San Diego discussed the role that discharges from SBOO have on water quality within the vicinity of the U.S. and Mexico border. The City of San Diego reported that in August 2023, the City of San Diego first noted darker effluent being discharged from the SBOO from the diffuser ports. Examples are provided in Figure 18 and Figure 19. While no formal investigation has begun, the City of San Diego believes the darker effluent may be attributed to the excess influent flows to the SBIWTP that began in October 2020. The excess influent, which exceeded the SBIWTP's treatment capacity, have caused interference and equipment failure and have contributed to effluent exceedances for carbonaceous biochemical oxygen demand, total suspended solids, settleable solids, and turbidity since 2021.

Figure 18: Example of Normal Effluent from the South Bay Ocean Outfall

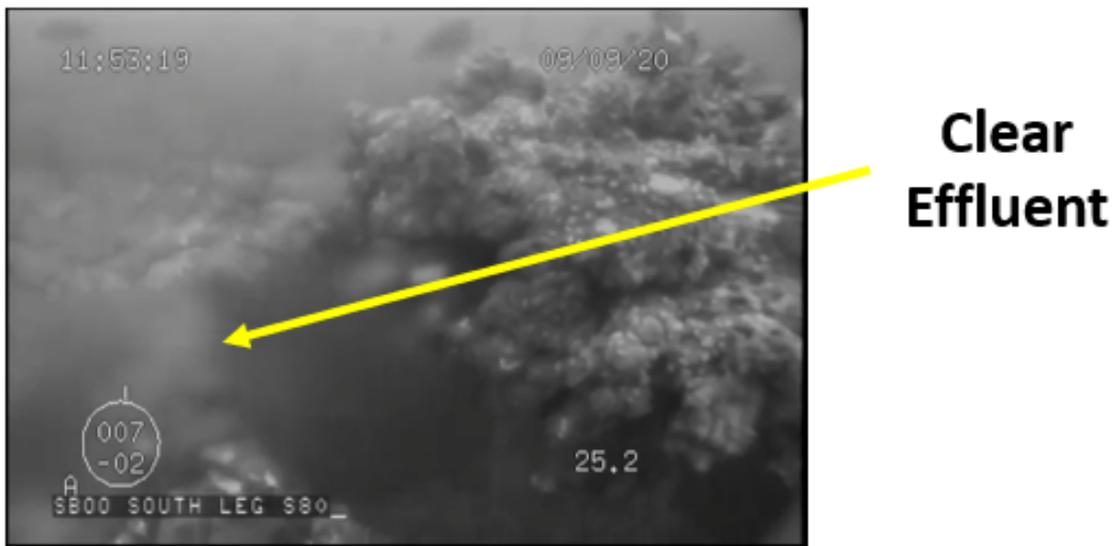


Figure 18 Picture from the City of San Diego's inspection of SBOO outlets on September 9, 2020, that displays the effluent discharge that is normally clear but with a visible difference in density than ocean water.

Figure 19: Example of Dark Effluent from the South Bay Ocean Outfall



Figure 19 Picture from the City of San Diego's inspection of SBOO outlets on April 12, 2023, that displays the atypical effluent discharge darker than the normal effluent pictured in Figure 18.

The City of San Diego also provided a summary of the last 10 years of total coliform monitoring at the site nearest SBOO (monitoring site I16). Total coliform monitoring is done on a quarterly basis at offshore sites such as I16. The City of San Diego noted that total coliform levels at site I16 have been elevated since the 3rd quarter monitoring in 2022 and coincides with the increased transboundary flows. The City of San Diego also noted that although the levels were elevated since 2022 at monitoring site I16, the levels are typically lower than shoreline sites and highlighted shoreline monitoring site S5 as an example. The quarterly means of total coliform monitoring for site I16 and S5 are shown in Figure 22 and recreated from data supplied by the City of San Diego.

The City of San Diego stated that SBOO discharges should not contribute much, if any, bacteriological load to any water quality exceedances reported in shoreline monitoring stations. Flows from SBOO typically travel southward, and not eastward towards shore, as shown in Figure 23, which may indicate little mixing between shore and offshore waters. On January 28, 2024, the City of San Diego provided the bacteriological monitoring results for all of 2023. The San Diego Water Board is still reviewing the data to determine if there is evidence that discharges from SBOO contribute to shoreline bacteriological monitoring exceedances. Compliance with the NPDES Permit effluent limitations and Time Schedule Order R9-2023-0189 by August 15, 2024, however, are required regardless of the limited impact documented to date on shoreline or offshore water quality conditions.

Figure 20: History of *Enterococcus* Concentrations at Shoreline Site S5 and Offshore Site I16 Reported as Quarterly Means

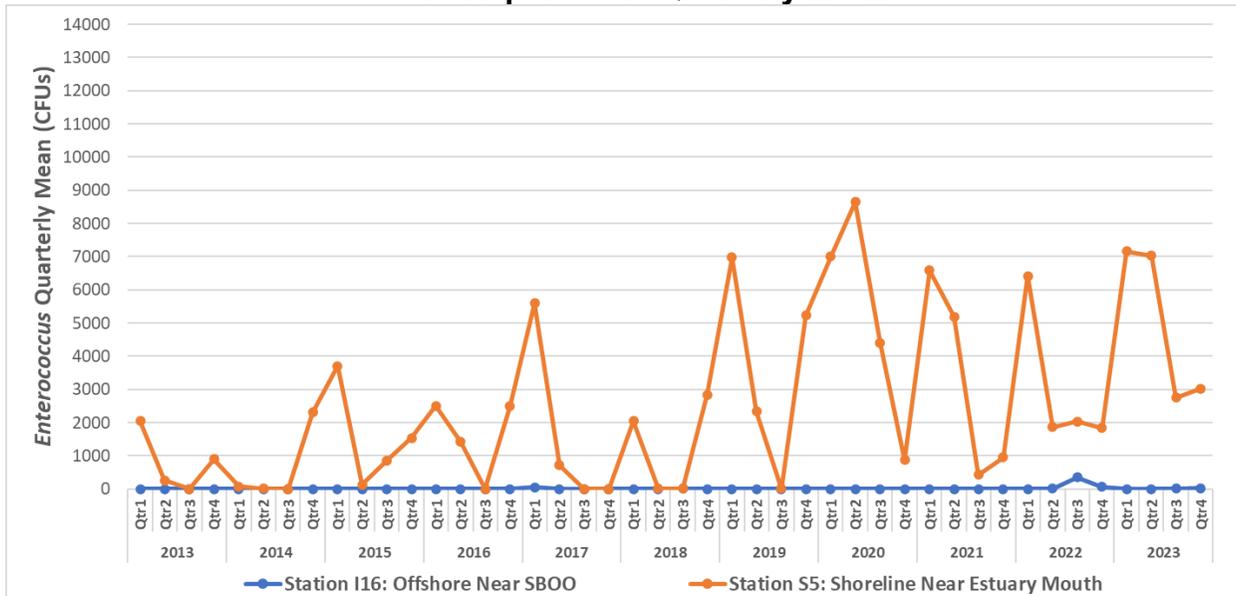


Figure 20 A timeline graph of the quarterly mean *Enterococcus* concentrations between 2013 and 2023 from offshore monitoring site I16, that is near the SBOO outlet, in blue and shoreline monitoring site S5, that is near the Tijuana River Estuary mouth, in orange. The increased concentrations at I16 occur in 2022 and 2023.

Figure 21: History of Fecal Coliform Concentrations at Shoreline Site S5 and Offshore Site I16 Reported as Quarterly Means

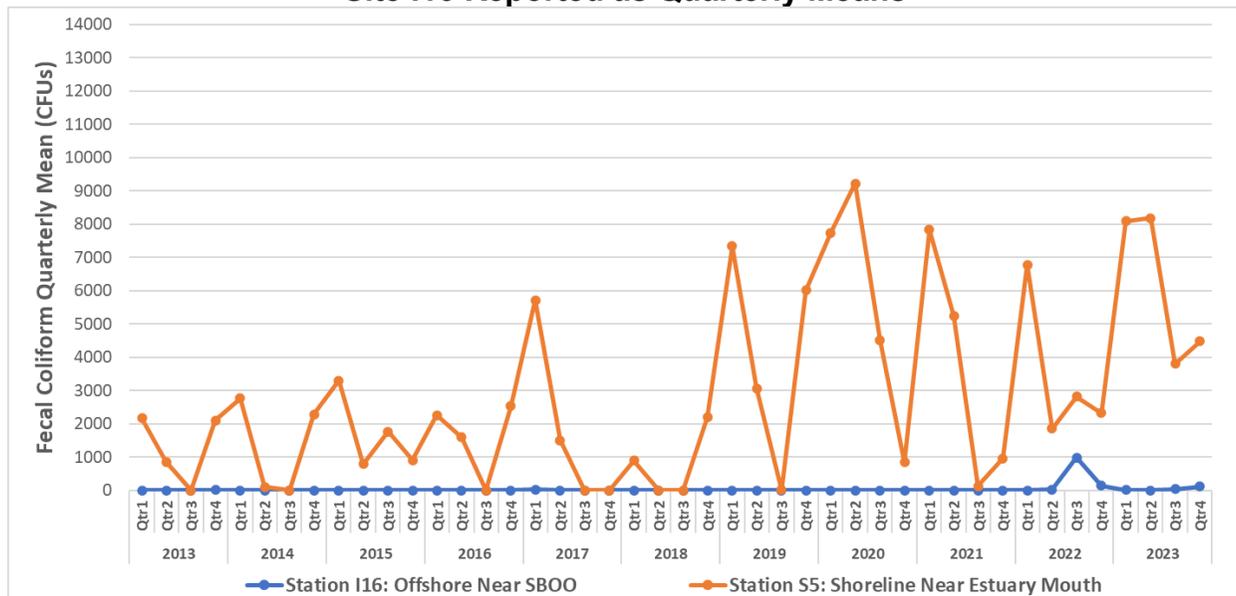


Figure 21 A timeline graph of the quarterly mean fecal coliform concentrations between 2013 and 2023 from offshore monitoring site I16, that is near the SBOO outlet, in blue and shoreline monitoring site S5, that is near the Tijuana River Estuary mouth, in orange. The increased concentrations at I16 occur in 2022 and 2023.

Figure 22: History of Total Coliform Concentrations at Shoreline Site S5 and Offshore Site I16 Reported as Quarterly Means

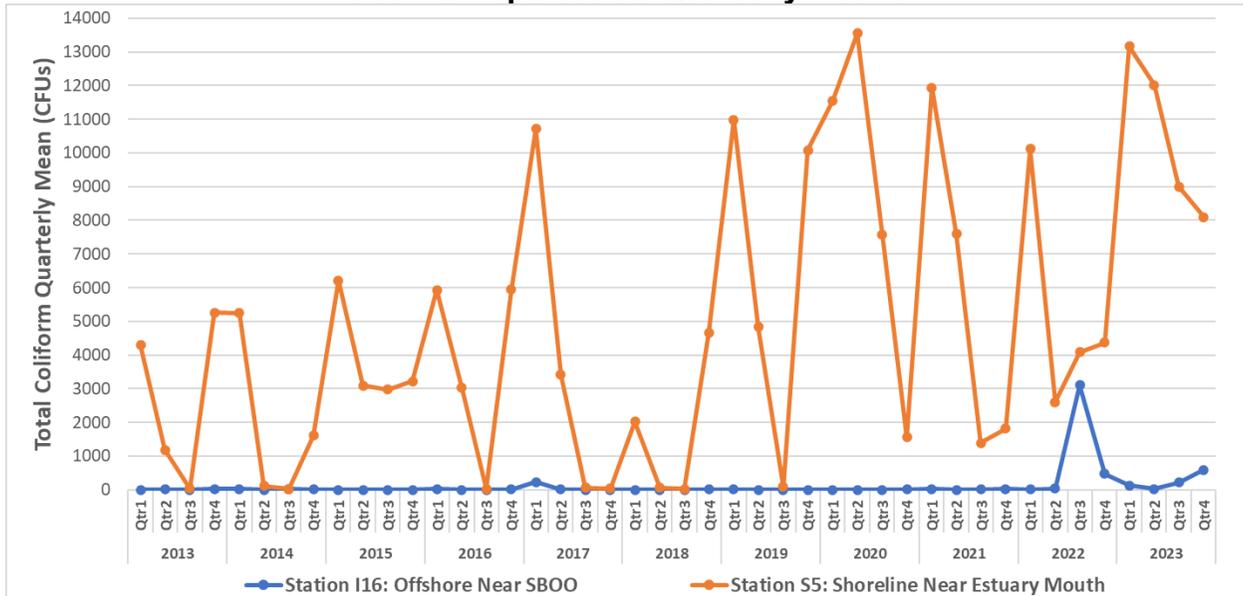


Figure 22 A timeline graph of the quarterly mean total coliform concentrations between 2013 and 2023 from offshore monitoring site I16, that is near the SBOO outlet, in blue and shoreline monitoring site S5, that is near the Tijuana River Estuary mouth, in orange. A timeline graph of the quarterly mean total coliform concentrations between 2013 and 2023 from offshore monitoring site I16, that is near the SBOO outlet, in blue and shoreline monitoring site S5, that is near the Tijuana River Estuary mouth, in orange. The increased concentrations at I16 occur in 2022 and 2023.

Figure 23: Satellite Imagery of the Normal Path of Discharge from the South Bay Ocean Outfall

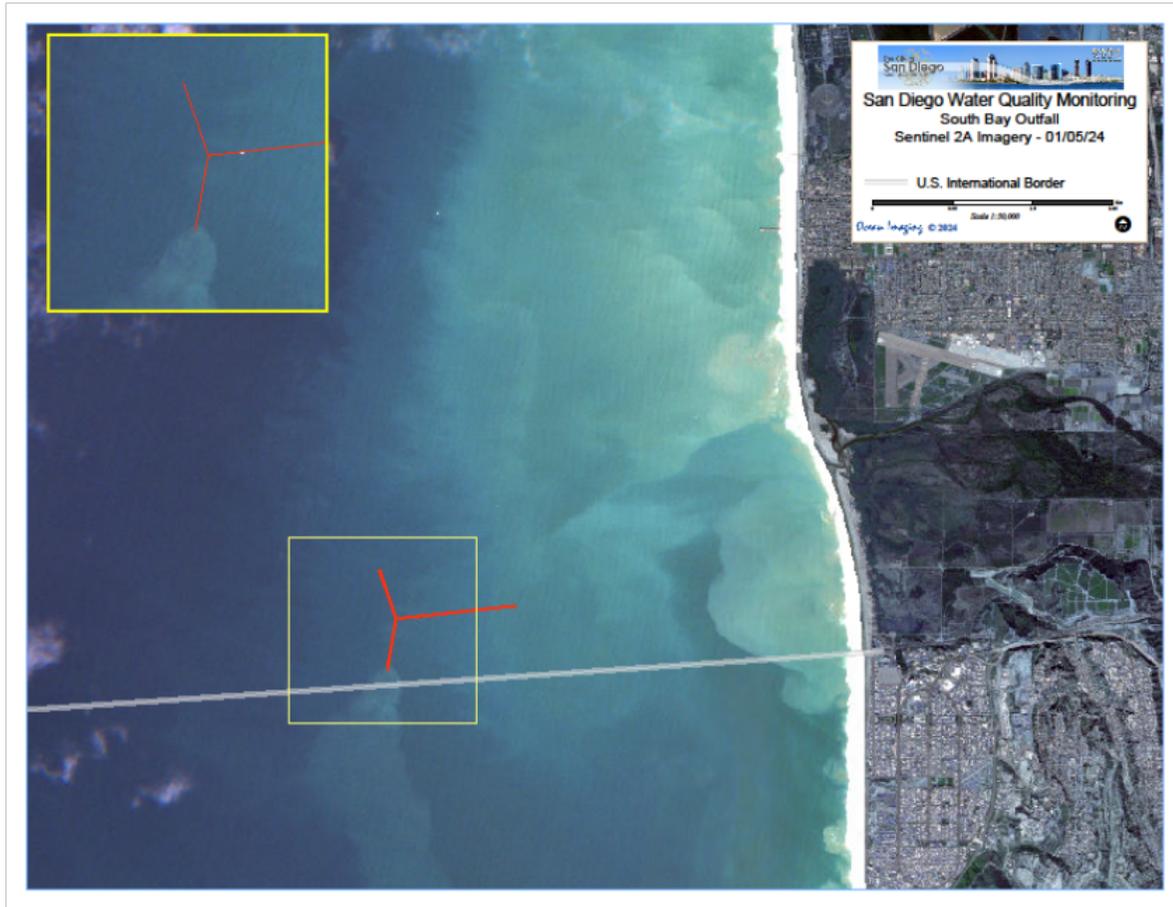


Figure 23 Satellite imagery of effluent discharges from SBOO on January 1, 2024. Discharges from SBOO can normally be viewed through satellite imagery and displays the southward movement and dilution of SBOO's discharge.

Effluent Water Quality Monitoring

During the Board Meeting on December 18, 2023, on the consideration of Time Schedule Order R9-2023-0189, San Diego Coastkeeper (Coastkeeper) and Coastal Environmental Rights Foundation (CERF) provided comments on their review of data submitted by USIBWC documenting effluent limitation exceedances related to benzidine and polychlorinated biphenyls (PCBs). USIBWC responded during the meeting and made it known that results for benzidine and PCBs should be non-detect. USIBWC is working on reviewing the data and will input the correct data into the California Integrated Water Quality System (CIWQS) and notify the San Diego Water Board when the corrected data upload is complete. Once the corrections have been made, the San Diego Water Board will review the data and will then be able to further comment on any actual exceedances. It should be noted that the SBIWTP was designed to comply with secondary standards which do not include removal of heavy metals or chemicals such as benzidine or PCBs. Elevated levels would not necessarily indicate failures at the SBIWTP. Removal of constituents beyond the capability of secondary treatment will depend on an effective pretreatment program in Mexico, which is currently unknown to the San Diego Water Board. Neither the SBIWTP NPDES permit requirements, nor the TSO, are

enforceable in Mexico where the source of the wastewater influent originates. USIBWC is working with their counterpart in Mexico to request information about the upstream wastewater collection system so that joint efforts to assess options to reduce toxicity sources and develop a pollution minimization plan can be made.

Summary

The coastal waters off southern San Diego County receive polluted runoff flows and discharges of treated, partially treated, and untreated wastewater from both the U.S. and Mexico which has resulted in 55 Clean Water Act constituent-water body listings of impairment in the Tijuana River Valley, Estuary, and coastal waters from the U.S. – Mexico International Border to Coronado. While there has been concern in the public and press that discharges from SBOO may contribute to water quality impairment, analysis of the City of San Diego's Interim Report and the other reports and studies cited above suggest SBOO did not significantly contribute to water quality impairment in nearshore waters in the vicinity of the U.S. and Mexico border in 2022.

Uncontrolled daily flows of up to 30-40 MGD of sewage in the Tijuana River, contaminated storm water runoff from metropolitan Tijuana, and discharges of untreated or partially treated sewage from SABWTP at Punta Bandera in Mexico are the most significant sources of coastal water quality impacts including 782 consecutive days of beach closures (as of February 14, 2024). Water Board staff will continue to closely review monitoring data for impacts or changes in coastal water quality as the efforts to upgrade the SBIWTP and SABWTP are underway and will continue to closely review monitoring data after upgrades are completed. The funding and construction of the Core Projects in the Preferred Alternative of the USEPA and USIBWC [Record of Decision](#), including Project D: The Tijuana River Diversion and Advanced Primary Treatment Plant, are critical to the long term reduction in transboundary flows of pollution that impair the Tijuana River, Estuary, and coastal waters.

Part B – Significant Regional Water Quality Issues

1. Summary of Fireworks Shows in the San Diego Region in 2023

Staff Contact: James Chhor

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) reissued Order No. R9-2022-0002, NPDES No. CAG999002, *General National Pollutant Discharge Elimination System (NPDES) Permit for Residual Firework Pollutant Discharges to Waters of the United States in the San Diego Region from the Public Display of Fireworks* (General Order). The General Order was adopted on February 9, 2022, and became effective on June 1, 2022. Fireworks displays located over or near any waterbody in the San Diego region must enroll under the General Order.

Current Enrollees

There are currently 19 enrollees under the General Order throughout the San Diego region:

- 16 enrollments (84%) for annual fireworks displays celebrating the Fourth of July.
- 3 enrollments (16%) for other events, including multiple events each year.

Table 1 lists the enrollee, event location, event date, event duration, and maximum approved fireworks amount.

Table 1. General Details for Enrollees Under the General Order

Enrollee	Event Location	Event Date	Event Duration (Minutes)	Amount Approved Per Event (lbs)
22 nd District Agricultural Association	San Diego County Fairground	July 4th	25	900
Armed Services YMCA (Big Bay Boom)	San Diego Bay	July 4th	18	5,350
City of Dana Point	Doheny State Beach	July 4th	30	1,500
City of Imperial Beach	Imperial Beach Pier	July 4th	19	450
City of Laguna Beach	Heisler Park	July 4th	20	300
City of Laguna Niguel	Laguna Niguel Lake	July 4th	20	800
City of San Clemente	San Clemente Pier	July 4th	20	658.9
City of San Marcos	Bradley Park	July 4th	20	200
City of Vista	Brengle Terrace Park	July 4th	20	35
Coronado Fourth of July	Glorietta Bay	July 4th	20	397
Destination Concepts Inc.	USS Midway Museum	Various	20	93.35
Emerald Bay Service District	Emerald Bay	July 4th	20	400

Enrollee	Event Location	Event Date	Event Duration (Minutes)	Amount Approved Per Event (lbs)
Irvine Cove Joint Committee	Cameo Cove	July 4th	30	488
Lake Murray Fireworks and Events	Lake Murray	July 4th	18	412
Marine Corps Committee Services	Jetty of Del Mar Beach	July 4th	20	300.42
Mission Bay Yacht Club	Mission Bay	July 3rd	18	400
SeaWorld San Diego	Mission Bay	Various	20	510
Three Arch Bay Community Service District	Mussel Cove	July 4th	20	221.9
USS Midway Museum	USS Midway Museum	Various	5	28.75

Summary of Debris Collected in 2023

Coverage under the General Order authorizes persons to sponsor fireworks display events (i.e., hosts) over or nearby any waterbody in accordance with the terms of federal and State of California (State) water pollution laws. The General Order requires fireworks display hosts to implement best management practices that include, but are not limited to, the collection, removal, and disposal of fireworks-related debris to a practical extent after fireworks displays. Following each fireworks display, enrollees are required to submit a Visual Monitoring Report, a Post-Fireworks Display Log, and a Display of Fireworks Post-Event Report Form. All required forms are submitted to the San Diego Water Board summarizing the general details of each fireworks event, including the number of fireworks used and weight of debris collected.

Table 2 lists the weight of fireworks debris collected from the firing range and adjacent surface waters from all enrollees, that planned to have an event on or around July 4, 2023. Table 3 summarizes the average and total weight of fireworks debris SeaWorld San Diego collected from their firing range and adjacent surface waters throughout 2023.

Table 2. Debris Collected in July 2023 by Enrollees Except SeaWorld

Enrollee	Dry Weight Debris from Firing Range (lbs)¹	Adjacent Surface Water Debris Wet Weight (lbs)¹	Adjacent Surface Water Debris Dry Weight (lbs)¹
22 nd District Agricultural Association	144	0	0
Armed Services YMCA (Big Bay Boom)	2021	2	Not Reported
City of Dana Point	0	Not Reported	20
City of Imperial Beach	165	Not Reported	2
City of Laguna Beach	18.5	0	0
City of Laguna Niguel	53	15	26
City of San Clemente	No Report Submitted	No Report Submitted	No Report Submitted
City of San Marcos	110	0	0
City of Vista	400	0	0
Coronado Fourth of July	No Report Submitted	No Report Submitted	No Report Submitted
Destination Concepts Inc.	No Event	No Event	No Event
Emerald Bay Service District	90	0	0
Irvine Cove Joint Committee	40	Not Reported	Not Reported

Enrollee	Dry Weight Debris from Firing Range (lbs)¹	Adjacent Surface Water Debris Wet Weight (lbs)¹	Adjacent Surface Water Debris Dry Weight (lbs)¹
Lake Murray Fireworks and Events	34.1	0	0
Marine Corps Committee Services	103.51	3.8	Not Reported
Mission Bay Yacht Club	86	0	0
Three Arch Bay Community Service District	43.87	Not Reported	Not Reported
USS Midway Museum	No Report Submitted	No Report Submitted	No Report Submitted

¹ Values are sourced directly from the reports submitted by enrollees. If an enrollee did not host an event in July 2023, "No Event" is listed. If an enrollee did not include a value for the weight of debris collected for any category, "Not Reported" is listed. If an enrollee has not submitted their reports, "No Report Submitted" is listed.

Table 3. Debris Collected in 2023 by SeaWorld San Diego

Month	Displays	Average Dry Weight Debris from Firing Range (lbs)	Average Adjacent Surface Water Debris Wet Weight (lbs)	Total Dry Weight Debris from Firing Range (lbs)	Total Adjacent Surface Water Debris Wet Weight (lbs)
February	2	18.1	2.5	36.21	5
March	5	17.39	4.51	86.94	22.55
April	10	16.87	4.89	168.65	48.94
May	10	16.35	7.52	163.48	75.2
June	21	15.61	7.03	327.71	147.7
July	31	18.09	11.77	560.7	365
August	16	15.01	11.77	240.09	188.29
September	4	15.19	10.9	60.75	43.6

Additional information regarding the San Diego Water Board's regulation of fireworks is available on the [San Diego Water Board's General Waste Discharge Requirements for the Public Display of Fireworks Website](#).

2. Historic Agreement to Protect the Colorado River

Staff Contact: Sean McClain

The San Diego County Water Authority joined the Imperial Irrigation District, Metropolitan Water District of Southern California, Fort Yuma Quechan Indian Tribe, Palo Verde Irrigation District, Coachella Valley Water District, and the United States Bureau of Reclamation to sign a historic agreement to protect the Colorado River Basin. The agreement marks a significant step toward addressing the longstanding challenges of water scarcity and allocation in the Basin by promoting sustainable water management practices that aims to ensure the river's health and resilience, benefitting both the environment and the communities that rely on its waters.



Source: Water Education Foundation: www.watereducation.org

This groundbreaking agreement reflects a collaborative effort among states, Native American tribes, and other entities, transcending political boundaries in recognition of the interconnectedness of water resources. It not only sets specific guidelines for water usage but also establishes mechanisms for adaptive management to address future uncertainties, such as climate change impacts. This collective agreement signifies the responsible stewardship of the Colorado River, laying the foundation for a more secure and sustainable water future for the region.

More information regarding this historic agreement to protect the Colorado River Basin is available on the following website: <https://www.watereaction.com/historic-agreement-signed-to-protect-the-colorado-river/>.

Staff will continue to provide periodic updates to the San Diego Water Board when additional information becomes available.

3. *Caulerpa* Infestation in San Diego Bay

Staff Contact: Jeremy Haas

The highly invasive algae, *Caulerpa prolifera*, was found in the Coronado Cays area of San Diego Bay in September 2023 during an eelgrass dive survey associated with a dock replacement project. The Southern California Caulerpa Action Team (SCCAT), which was currently active in Newport Bay, responded swiftly to develop and begin implementing a Rapid Response and Eradication Plan. The Port of San Diego issued emergency funds to remediate the initial patches found in September 2023. State and federal funds have recently been approved to remediate subsequently found patches in the Cays and to survey for additional outbreaks in and near the Cays and the San Diego Bay National Wildlife Refuge (Figure 1).

Caulerpa prolifera is a large (up to 6 feet) single-cell algae. It is a fairly simple aquatic organism that consists of a number of blades linked by underground runners, which attach to the substrate with small root-like structures. Because it is so prone to breaking up into small reproductive fragments, the SCCAT recommends that the public do not touch or collect it and instead note the location and upload pictures to [Invasive Algae – Caulerpa prolifera](#).

There are no *Caulerpa* species native to California. It is a popular aquarium genus because it is relatively easy to maintain and grows quickly. However, because of the existential threat highly invasive *Caulerpa* species poses to California's aquatic habitats, Governor Newsom signed CA [AB655](#) into law enacting a statewide ban, except for bona fide scientific research, on all *Caulerpa* species beginning January 1, 2024.

As with other public agency responses to highly invasive terrestrial or aquatic organisms, the SCCAT is typically faced with a decision whether to contain or eradicate a *Caulerpa* outbreak. To date, the SCCAT has always chosen to eradicate because wherever *Caulerpa* species have invaded in Mediterranean climates, it has proven uncontrollable except by the physical limits of the habitat. So, it will spread and dominate entire enclosed seafloors, essentially everywhere its requirements for wetness, sunlight, and temperature are met.

Therefore, the emergency response plan is an eradication plan. Recognizing the threat from the *Caulerpa* infestation and the need for emergency funding, both the City of Coronado and Port of San Diego declared local emergencies. In response, the Port of San Diego rapidly funded remediation of the initial patch. Divers subsequently found additional patches of 3,471 square meters within an 8.64-hectare infestation action area. The SCCAT updated the Emergency Response Plan to include the additional patches and recently received partial funding to implement the plan via the State Water Board Cleanup and Abatement Account and federal Rapid Response Fund for Invasive Aquatic Species. Remediation activity using the State and federal funds began January 30, 2024.

Eradication is expensive and the decision to do so is not based entirely on economics. There would be significant economic harm if the *Caulerpa* spread as it has in other parts of the world. For instance, recreational, subsistence, and commercial fishing would be severely impacted because most of our native fish would not find monocultures of *Caulerpa* to be suitable habitat.

Indeed, the decision to eradicate *Caulerpa* is based on the risk to habitats and ecosystems and the biological integrity of San Diego Bay. Outbreaks are very destructive to habitat value because *Caulerpa* outcompetes other vegetation to become essentially monocultures and can

4. Study of Ambient Pollutant Levels in San Diego Bay

Staff Contacts: Hiram Sarabia and Chad Loflen

San Diego Water Board staff will be publishing a technical report on San Diego Bay, titled *San Diego Bay Sediment Pollutants: Evaluation of Contemporary Ambient Concentrations to Inform Water Quality Management* (report), as well as an accompanying fact sheet. Both documents are anticipated to be available on the [Strategy for a Healthy San Diego Bay website](#) under the Assessment and Monitoring section in February 2024.

The report was developed to provide staff and the public information on sediment conditions in San Diego Bay, specifically in locations that have presumed lower levels of historic or current anthropogenic impacts due to their distance from known pollutant sources. This will better help assess bay-wide condition for key beneficial uses impacted by sediment contamination, such as fish and shellfish consumption and habitats and ecosystems.

Sediment Monitoring in San Diego Bay and Report Development

While sediment monitoring has occurred in San Diego Bay for decades, much of the monitoring has been targeted, with a focus on areas of known or suspected contamination. However, San Diego Bay's Regional Harbor Monitoring Program (RHMP) and the Southern California BIGHT program (BIGHT), which co-occur every five years, conduct bay-wide sediment sampling at both randomly selected and targeted trend sites. The use of randomly selected sites allows for an overall assessment of sediment quality within the bay by preventing inherent sampling bias from sampling only targeted sites.

The report used randomly selected sediment sampling data from RHMP/BIGHT cycles 2008, 2013, and 2018, as well as a 2014 special study that sampled randomly selected sites in shallow portions of the bay. Sediment sampling within the bay for the RHMP and BIGHT programs is typically analyzed to meet the State's Sediment Quality Objective requirements, with analysis done on pollutants and toxicity, as well as samples also used for benthic infauna species identification purposes. The report focused on total polycyclic aromatic hydrocarbons (PAHs), polychlorinated biphenyls (PCBs), cadmium, copper, lead, mercury, zinc, and organochlorine pesticides, specifically dieldrin, chlordanes, and dichlorodiphenyltrichloroethanes (DDTs). From the four surveys, San Diego Water Board staff first screened randomly sampled sites to eliminate those that randomly were located in areas of known or suspected contamination. San Diego Water Board staff then used multiple statistical approaches to for each pollutant to evaluate contemporary ambient concentrations on a pollutant-by-pollutant bay-wide.

The Technical Report is not Policy or Regulation

The report was produced by Board staff to inform the Board, other staff, and the public regarding pollutant levels in San Diego Bay. The report is intended to be used as a tool and does not constitute policy or regulation. As stated in the Fact Sheet, the report: "does not define or set cleanup levels for pollutants, determine where current discharges are causing impacts, or identify contaminated sites. However, because it provides information on pollutants in sediment around the bay, the report's findings are a tool to inform multiple management objectives, such as voluntary and mandated cleanup assessments and actions related to protecting the health of people and wildlife in the Bay."

Future Direction

Staff have identified several potential opportunities to help inform progress toward achieving the Board's Practical Vision. These include:

- 1) Continued assessment of San Diego Bay sediment pollutant levels over time after additional RHMP/BIGHT cycles and consistent with the [Strategic Water Quality Assessment Approach for San Diego Bay](#) endorsed by the Board in 2022.
- 2) Addition of other pollutants of concern (e.g. PFAS) as data becomes available.

Evaluation of contemporary ambient sediment pollutant levels in other enclosed bays and estuaries in the region.

5. San Mateo Creek Restoration Plan and Funding to Protect Steelhead from Invasive Species

Staff Contact: Chad Loflen

In accordance with the State Water Board's Impaired Waters Policy, I signed [Resolution R9-2024-0012](#) on January 19, 2024, certifying that the impairment of the San Mateo Creek beneficial uses caused by invasive species is expected to be restored by actions of a non-regulatory third party. This action is one of the alternatives to the traditional TMDL approach for water quality impairments.

San Mateo Creek is listed as impaired under section 303(d) of the Clean Water Act because aquatic invasive species are restricting the ability of its waters to support the Beneficial Uses designated in the Water Quality Control Plan for the San Diego Basin (Basin Plan). Specifically, the RARE (Rare, Threatened, or Endangered Species), MIGR (Migration of Aquatic Organisms), and SPWN (Spawning, Reproduction, and/or Early Development) uses for the southern California Steelhead (*Oncorhynchus mykiss*) are being restricted by the presence of invasive aquatic predators and competitors. Southern California steelhead are a genetically distinct sub-population of steelhead and were federally listed as endangered under the Endangered Species Act in 1997.

San Mateo Creek is identified by the National Marine Fisheries Service (NMFS) as a CORE 1 population segment in the federal Southern California Steelhead Recovery Plan, with a portion of the creek listed as critical habitat. A CORE 1 population segment is one that has the highest potential for long-term recovery and persistence of the species across its range. San Mateo Creek was identified because it consists largely of high-quality protected habitat and lacks any major dams or fish passage barriers. However, aquatic non-native species that co-occur with steelhead, such as largemouth bass, sunfish, and bullfrog, outcompete steelhead for resources and prey on juvenile steelhead while also degrading water quality.

Between June and November 2022 San Diego Water Board Staff released for public review and comment a draft invasive species TMDL for San Mateo Creek. The draft TMDL identified targets and a pathway to restore conditions in San Mateo Creek for the southern California steelhead. The TMDL identified that implementation was expected to occur through collaborative watershed planning and restoration activities to remove aquatic invasive species and their sources in the San Mateo Creek watershed, implemented primarily by with non-point source funds. That approach, considered an "advanced restoration plan" by USEPA, does not

require a Basin Plan amendment, and instead relies on a Certification by the Board or Executive Officer.

Four comment letters were received on the draft TMDL. None opposed the use of non-point source planning and funding for restoration of the impairment. Two response letters were sent to local government and the US Marine Corps Base Camp Pendleton to provide clarification on funding availability and the basis to consider invasive species as pollutants under the Clean Water Act.

On November 15, 2023, the State of California non-point source program issued a grant to California Trout, Inc., a not-for-profit entity, to develop a San Mateo Watershed Management Plan (Watershed Plan) to address the impairment consistent with the TMDL. California Trout currently leads the [Southern California Steelhead Coalition](#), and will use grant funds to develop the Watershed Plan in consultation with a technical advisory committee that includes the Acjachemen tribal nation, San Diego Water Board, California Department of Fish and Wildlife, National Marine Fisheries Service, United States Marine Corps at Camp Pendleton, United States Forest Service, and a resource conservation district.

Following the development of the watershed restoration plan, eligible entities may apply for state and federal funding to address the impairment. This includes funding implementation actions such as conducting coordinated watershed removal efforts for the aquatic invasive species, as well as educating and working with private upstream landowners to identify and mitigate private ponds that are or may be contributing to aquatic invasive species getting into San Mateo Creek. Funding would also be available for federal agency landowners, such as the United States Forest Service and Marine Corps Base Camp Pendleton, to conduct invasive species removals.

Additional information on the project can be found here:

https://www.waterboards.ca.gov/sandiego/water_issues/programs/tmdls/san_mateo.html.

A short article on the project from California Trout can be found here:

<https://caltrout.org/news/san-mateo-creek-could-provide-another-opportunity-for-southern-steelhead-to-rebound>.



Figure 25 Photo of San Mateo Creek within the Cleveland National Forest and San Mateo Wilderness (Photo: Loflen).

6. Enforcement Actions for October, November, and December 2023 (Attachment B-6)

Staff Contact: Chiara Clemente

During the months of October, November, and December 2023, the San Diego Water Board issued 1 Cease and Desist Order, 1 Administrative Civil Liability Order, 1 Investigative Order, 2 Notices of Violation, and 1 Staff Enforcement Letter. A summary of each written enforcement action taken is provided in the attached table. The State Water Board's [Enforcement Policy](#) contains a brief description of the types of enforcement actions the Water Boards can take.

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:

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

State Water Board GeoTracker database: <https://geotracker.waterboards.ca.gov/>.

7. Sanitary Sewer Overflows in the San Diego Region – October and November 2023 (*Attachment B-7*)

Staff Contact: James Chhor

Sanitary sewer systems experience periodic failures resulting in sanitary sewer overflow (SSO) discharges that may affect waters of the United States and/or the State of California (State). There are many factors (including factors related to geology, design, construction methods and materials, age of the system, population growth, and system operation and maintenance), that can influence the likelihood of an SSO and the volume of the discharge. Major causes of SSOs include: grease blockages, root blockages, sewer line flood damage, manhole structure failures, vandalism, pump station failures, power outages, excessive stormwater inflow or groundwater infiltration, debris blockages, failures due to aging sanitary sewer systems, lack of proper operation and maintenance, insufficient capacity, and contractor-caused damages. Many SSOs are preventable with adequate and appropriate facilities, source control measures, and proper operation and maintenance of the sanitary sewer system.

SSO discharges from public sewage collection systems and private laterals in the San Diego Region can contain high levels of suspended solids, pathogens, toxic pollutants, nutrients, and oil and grease. SSO discharges can pollute surface and ground waters, thereby threatening public health, adversely affecting aquatic life, and impairing the recreational use and aesthetic enjoyment of surface waters. Typical impacts of SSO discharges include closure of beaches and other recreational areas, inundation of property, and pollution of rivers, estuaries, and beaches.

State agencies, municipalities, counties, districts, and other entities (collectively referred to as public entities) that own or operate sewage collection systems report SSO spills through an on-line database system, the *California Integrated Water Quality System* (CIWQS). These SSOs are required to be reported under the [Statewide General SSO Order](#),² the [San Diego Regional General SSO Order](#),³ and/or individual National Pollutant Discharge Elimination System (NPDES) permit requirements. Some federal entities⁴ report this information voluntarily. Most SSO reports are available to the public on a real-time basis at the [State Water Board Public SSO Report Database](#).

² State Water Board Order WQ 2022-0103-DWQ, *Statewide General Waste Discharge Requirements General Order for Sanitary Sewer Systems*. State Water Board Order WQ 2022-0103-DWQ was adopted on December 9, 2022, and became effective on June 5, 2023. State Water Board Order WQ 2022-0103-DWQ supersedes Order 2006-0003-DWQ, the previous statewide waste discharge requirements for sanitary sewer systems.

³ San Diego Water Board Order No. R9-2007-0005, *Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region*.

⁴ Marine Corp Base Camp Pendleton reports sewage spills to CIWQS as required by its individual NPDES permit, Order No R9-2019-0167, NPDES Permit No. CA0109347, *Waste Discharge Requirements for the Marine Corps Base, Camp Pendleton, Southern Regional Tertiary Treatment Plant and Advanced Water Treatment Plant at Haybarn Canyon, Discharge to the Pacific Ocean through the Oceanside Ocean Outfall*. The United States Marine Corps Recruit Depot and the United States Navy voluntarily report sewage spills through CIWQS.

Details on the reported SSOs and private lateral sewage discharges (PLSDs) for October and November 2023 are provided in the following attached tables:

- Table 1: October and November 2023- Summary of Public and Federal Sanitary Sewer Overflow Events
- Table 2: October and November 2023 - Summary of Private Lateral Sewage Discharge Events
- Table 3: October and November 2023 - Summary of Sewage Discharges by Source

A summary view of information on sewage spill trends from October 2022 to November 2023 are provided in the following attached figures:

- Figure 1: Number of Spills per Month
- Figure 2: Volume of Public SSOs per Month
- Figure 3: Volume of Federal SSOs per Month
- Figure 4: Volume of PLSDs per Month

The Statewide General SSO Order which became effective on June 5, 2023, no longer requires agencies to submit electronic spill reports for public SSOs that are less than 50 gallons in volume that do not reach surface waters. Some agencies may still voluntarily report that information. As a result, tables 1 and 3, and figures 1 and 2 may not include information from public SSOs that are less than 50 gallons in volume that did not reach surface waters. Some agencies are still voluntarily submitting electronic spill reports for spills from private laterals less than 50 gallons in volume that do not reach surface waters.

From October 2022 to November 2023, 37 of the 68 collection systems in the San Diego Region reported one or more sewage spills. Thirty-one collection systems did not report any sewage spills. A total of 222 sewage spills were reported with about 10,352,806 gallons of sewage reaching surface waters.

Additional information about the San Diego Water Board sewage overflow regulatory program is available on the [San Diego Water Board's SSO Website](#).

8. Transboundary Flows from Mexico into the San Diego Region – October and November 2023 (Attachment B-8)

Staff Contact: Vicente R. Rodriguez

Water and wastewater in the Tijuana River and from canyons located along the international border ultimately drain from the City of Tijuana, Baja California, Mexico (Tijuana) into the United States. The water and wastewater flows are collectively referred to as transboundary flows. The United States Section of the International Boundary and Water Commission (USIBWC) has built canyon collectors that capture dry weather transboundary flows for treatment at the South Bay International Wastewater Treatment Plant (SBIWTP) located at the United States/Mexico border. Dry weather transboundary flows that are not captured by the canyon collectors for treatment at the SBIWTP, such as flows within the main channel of the

Tijuana River,⁵ are reported by the USIBWC pursuant to [Order No. R9-2021-0001](#), the National Pollutant Discharge Elimination System (NPDES) permit for the SBIWTP discharge. These uncaptured flows can enter waters of the United States and/or the State of California (State), potentially polluting the Tijuana River Valley and Estuary, and south San Diego beach coastal waters.

According to the 1944 *Water Treaty for the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande* and stipulations established in [IBWC Minute No. 283](#), the USIBWC and the Comisión Internacional de Límites y Aguas (CILA)⁶ share responsibility for addressing border sanitation problems, including transboundary flows. Efforts on both sides of the border have led to the construction and ongoing operation of several pump stations and treatment plants to reduce the frequency, volume, and pollutant levels of transboundary flows. This infrastructure includes but is not limited to the following:

- The SBIWTP, located just north of the United States/Mexico border, which provides secondary treatment for a portion of the sewage from Tijuana and transboundary flows conveyed from canyon collectors located in Smuggler's Gulch, Goat Canyon, Canyon del Sol, Stewart's Drain, and Silva Drain. The secondary-treated wastewater is discharged to the Pacific Ocean through the South Bay Ocean Outfall, in accordance with USIBWC's NPDES permit, Order No. R9-2021-0001.
- Several pump stations and wastewater treatment plants (WWTPs) in Tijuana, including the San Antonio de los Buenos WWTP, the La Morita WWTP and the Arturo Herrera WWTP.
- The River Diversion Structure and Pump Station CILA in Tijuana which diverts dry weather transboundary flows from the Tijuana River. The flows are diverted to a discharge point at the Pacific Ocean shoreline, approximately 5.6 miles south of the United States/Mexico border; or the flows can be diverted to SBIWTP or another wastewater treatment plant in Tijuana, depending on how Tijuana's public utility department (CESPT) directs the flow into the collection system. The River Diversion Structure is not designed to collect wet weather river flows and any river flows over 1,000 liters per second (35.3 cubic feet per second, 22.8 million gallons per day).

In October and November 2023, there were a total of 3 reported transboundary flows resulting in more than one billion gallons of contaminated water flowing from Mexico into the United States. This includes one spill from the South Bay International Wastewater Treatment Plant.

Details on the transboundary flows reported in October and November are provided in the attached tables:

- Table 1: October and November 2023 - Summary of Transboundary Flows from Mexico by Event
- Table 2: October and November 2023 - Summary of Transboundary Flows from Mexico

⁵ Tijuana River transboundary flows typically consist of a mixture of groundwater, urban runoff, storm water, treated sewage wastewater, and untreated sewage wastewater from infrastructure deficiencies and other sources in Mexico.

⁶ The Mexican section of the IBWC.

A summary view of information on transboundary flow trends are provided in the following attached figures:

- Figure 1: Number of Transboundary Flows per Month
- Figure 2: Tijuana River Transboundary Flow Volume per Month
- Figure 3: Canyon Collector Transboundary Flow Volume per Month

These figures show the number and volume of transboundary flows per month from October 2022 through November 2023. During this period, there were a total of 29 reported transboundary flows resulting in more than 43 billion gallons of contaminated water flowing from Mexico into the United States.

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

1. 2024 Enforcement Policy and Priorities Update (*Attachment C-1*)

Staff Contact: Chiara Clemente

The State Water Resources Control Board adopted amendments to the 2017 [Water Quality Enforcement Policy](#) (Policy) at its December 5, 2023 hearing. The amendments are largely focused on clarifying certain principles that are central to the Policy and helping ensure a more transparent and consistent application of the statutory factors outlined in California Water Code (Water Code) that the Water Boards must consider when assessing a civil liability. The amended Policy also establishes template procedures for evidentiary hearings to consider imposition of administrative civil liability and re-organizes several sections to improve efficiency and flow.

In accordance with Appendix D of the amended Policy, most changes (approximately 58%) are mere clarifications and may be implemented immediately upon adoption by the State Water Board (and prior to approval by the Office of Administrative Law). Procedural changes (~35%) may be applied to new or pending enforcement matters once the Policy is approved by the Office of Administrative Law. Substantive changes (~7%) can only be applied prospectively to violations which occur on or after the Policy's effective date unless a discharger consents to their retroactive application.

For the most part, the amendments do not significantly alter the way this region's prosecution staff will prepare enforcement actions for Board consideration. The State Board did, however, adopt an errata that will result in a more limited window of information when evaluating a discharger's "history of compliance" in consideration of anticipated due process arguments. For the purposes of evaluating this factor in a penalty assessment, consideration of a "violation" is now limited to a "stipulated, or adjudicated violation of the Water Code, Health and Safety Code, or other environmental protection statute for which the Water Boards have enforcement authority." Previously Board staff would consider all available evidence, which was consistent with the language of Water Code section 13385(e) which requires the Boards to consider "any prior history of violations...".

For this factor of the penalty methodology, the Policy now interprets the Water Code language to, for instance, exclude non-adjudicated self-reported violations. The self-reporting of violations is often required by waste discharge requirements (including all sanitary sewer

overflows to waters). Moving forward, the prosecution staff intend to continue to include an evaluation of all evidence in the technical reports. Prosecution or advisory staff may consider non-adjudicated evidence of violations in the "other relevant factors" section of the penalty calculation methodology.

In accordance with the Enforcement Policy (new and old), San Diego Water Board advisory and prosecution staff (led by the Executive Officer and Assistant Executive Officer, respectively) met in December 2023 for an annual evaluation of regional enforcement priorities. Since 2018, the Board's direction has been to prioritize enforcement of violations that affect one or more key beneficial uses (i.e. municipal water supply, fish and shellfish consumption, recreation, and ecosystem health) in a key area for the specific use. Other factors considered in prioritizing include considerations for equity, environmental justice, and the human right to water and variables such as timing/case readiness, available resources, degree of harm to receiving waters, and program-specific enforcement priorities. Advisory and prosecution staff agreed, and recommend, that the regional enforcement priorities should remain the same for 2024. Discussions were focused on ways to make cases more effective at achieving the intended environmental outcomes.

Proposed regional enforcement priorities were made available for public comment and shared with email subscribers of the Penalty Assessment Notices. The written comment period closed on January 12, 2024, and one comment letter was timely received (Attachment C-1). The comment letter encouraged the prioritization of enforcement in no-take Marine Protected Areas (MPAs) over limited-take MPAs, and Areas of Special Biological Significance (ASBS), over all other coastal waters. Prosecution staff does not believe this additional structuring of priorities is necessary because MPAs and ASBSs are already considered key areas for key beneficial uses tied to Ecosystem Health, and, to the extent that those areas are subject to recreation, they are also considered a key area for beneficial uses tied to recreation. Therefore, violations affecting these areas are already considered an existing priority in the current enforcement structure.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

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

February 14, 2024
APPENDED TO EXECUTIVE OFFICER'S REPORT

**TENTATIVE SCHEDULE
SIGNIFICANT NPDES PERMITS, WDRs, AND ACTIONS
OF THE SAN DIEGO WATER BOARD**

**March 13, 2024
San Diego Water Board Meeting Room**

Action Agenda Item	Action Type	Written Comments Due
Reissuance of Conditional Waivers of Waste Discharge Requirements for Low Threat Discharges in the San Diego Region (Tentative Order No. R9-2024-0001). <i>(Mahsa Izadmehr and Brandon Bushnell)</i>	Conditional Waivers of WDRs Reissuance	8-Jan-2024
Cleanup and Abatement Order for Lake San Marcos and San Marcos Creek (Tentative Order No. R9-2024-0009). <i>(Lara Quetin)</i>	Cleanup and Abatement Order	24-Oct-2023
An Order Requiring Designated Responsible Permittees to Comply with Bacteria TMDL Requirements Prescribed in the Regional Municipal Separate Storm Sewer Systems Permit for the San Diego Region (Tentative Time Schedule Order No. R9-2024-0010). <i>(Mireille Lecourtois and Laurie Walsh)</i>	Time Schedule Order Issuance	17-Feb-2023
Waste Discharge Requirements and National Pollutant Discharge Elimination System Permit for the City of San Diego E.W. Blom Point Loma Wastewater Treatment Plant Discharge to the Pacific Ocean through the Point Loma Ocean Outfall (Tentative Order No. R99-2024-0004, NPDES No. CA90107409). <i>(Joann Lim & USEPA Staff)</i>	NPDES Permit Reissuance	TBD

April 10, 2024
Rancho California Water District

Action Agenda Item	Action Type	Written Comments Due
Santa Margarita River Estuary and Watershed Monitoring and Assessment Results for the Estuary Nutrient TMDL, Presented by the Santa Margarita River Nutrient Initiative Group (SMRNIG) Stakeholder Group. <i>(Melissa Liotta)</i>	Informational Item	NA
Tentative General Waste Discharge Requirements for Discharges from Commercial Agricultural Operations in the San Diego Region. <i>(Cailynn Smith and Abigail Pashina)</i>	Public Workshop	NA

May 8, 2024
San Diego Water Board

Action Agenda Item	Action Type	Written Comments Due
Amendment of Waste Discharge Requirements for the City of San Diego South Bay Water Reclamation Plant Discharge to the Pacific Ocean through the South Bay Ocean Outfall (Tentative Order No. R9-2024-XXXX, NPDES No. CA90109045). <i>(Joann Lim)</i>	NPDES Permit Amendment	TBD
Waste Discharge Requirements and National Pollutant Discharge Elimination System Permit for the City of San Diego E.W. Blom Point Loma Wastewater Treatment Plant Discharge to the Pacific Ocean through the Point Loma Ocean Outfall (Tentative Order No. R9-2024-XXXX, NPDES No. CA90107409). <i>(Joann Lim and USEPA Staff)</i>	NPDES Permit Reissuance	TBD
Waste Discharge Requirements for the United States Department of the Navy for the Naval Bases in the San Diego Region, San Diego County (Tentative Order No. R9-2023-0010, NPDES No. CA9000001). <i>(Vicente Rodriguez)</i>	NPDES Permit Issuance	TBD

Agenda Items Requested by Board Members**March 10, 2021**

Requested Agenda Item	Board Member	Status
Region-wide workshop regarding the water quality issues in the Tijuana River Valley, including a discussion of water quality objectives and steps needed to achieve them.	Abarbanel	2024

May 11, 2022

Requested Agenda Item	Board Member	Status
Environmental Justice outreach event	Warren	Winter 2023-24

November 9, 2022

Requested Agenda Item	Board Member	Status
Update on monitoring and debris removal associated with the NPDES permit for discharges from fireworks	Various	February 2024

March 8, 2023

Requested Agenda Item	Board Member	Status
Update regarding the Southern California ROMS-BEC coastal water-quality model	Abarbanel	June 2024

May 10, 2023

Requested Agenda Item	Board Member	Status
Information regarding agricultural water quality best practices that are working in other regions and other topics raised during the agricultural workshop	Olson, Warren	February 2024

June 14, 2023

Requested Agenda Item	Board Member	Status
A tour of the Harbor Island Living Shoreline Project	Warren	Fall 2023

August 9, 2023

Requested Agenda Item	Board Member	Status
Update on the status of the Lake Cuyamaca fish advisory signs	Warren	February 2024

October 11, 2023

Requested Agenda Item	Board Member	Status
Look for duplicative monitoring in San Diego Bay and identify opportunities to reduce monitoring as a result of this assessment.	Warren	February 2024

November 8, 2023

Requested Agenda Item	Board Member	Status
Information regarding the cost of the Per- and Polyfluoroalkyl Substances (PFAS) Destruction Demonstration system at General Atomics that was mentioned in the November 2023 Executive Officer's Report.	Olson	Complete December 2023

December 13 and 18, 2023

Requested Agenda Item	Board Member	Status
Information regarding the affordability and operational and capital costs of General Atomics' Industrial Supercritical Water Oxidation (iSCWO) technology system used to treat PFAS and the energy needs associated with the system.	Warren, Olson	Spring 2024
Information regarding "Blue Baby Syndrome" and how it is related to nitrogen in drinking water and groundwater such as private wells.	Cantú	Spring 2024

Requested Agenda Item	Board Member	Status
Updates on the status of all upgrades at the South Bay International Wastewater Treatment Plant, especially when USIBWC will not meet estimated completion dates provided in previous Executive Officer Reports	Olson	Ongoing
Update regarding USIBWC's data integrity, upload issues, and any potential new upload methods.	Cantú	March 2024



San Diego Regional Water Quality Control Board

September 5, 2023

Dr. Maria-Elena Giner, P.E.
Commissioner
International Boundary and Water
Commission, United States Section
4191 N. Mesa
El Paso, Texas 79902
mariaelena.giner@ibwc.gov

Sent by Email Only

In reply refer to:
257821:VRodriguez

Subject: Notice of Violation No. R9-2023-0162 to the United States International Boundary and Water Commission for Violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant Discharge to the Pacific Ocean through the South Bay Ocean Outfall*

Dr. Maria-Elena Giner:

As detailed in the attached Notice of Violation (NOV) No. R9-2023-0162, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) alleges that the United States International Boundary and Water Commission (USIBWC or Discharger) has violated Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order).

The San Diego Water Board appreciates USIBWC's transparency and open communication regarding the state of the South Bay International Wastewater Treatment Plant (SBIWTP). The San Diego Water Board acknowledges the operational challenges presented in treating wastewater from a collection system in Mexico outside the USIBWC's direct control or authority and appreciates the efforts to coordinate operations and improvements with agencies in Mexico through Minute 320 and Minute 328. During our meeting with USIBWC staff on August 16, 2023, the pathway to return to compliance with the Order and Cease and Desist Order R9-2021-0709 (CDO) was described in detail.

Tropical Cyclone Hilary (Hilary) brought significant inflow and infiltration with excessive sedimentation and debris into the SBIWTP. Throughout the storm itself and in the day following, USIBWC staff kept the San Diego Water Board informed regarding operations and impacts. The damage to the SBIWTP is extensive and serious throughout the

treatment plant. The San Diego Water appreciates the detailed plans USIBWC shared on August 31, 2023, to make emergency repairs and restore operations.

Nonetheless, it is imperative that USIBWC take note of the secondary exceedances pre- and post-Hilary and overdue reports and continue to make every possible effort to restore the SBIWTP to operational status and compliance with the Order and CDO in the shortest possible time. It should be noted that at other, non-federal facilities, the 86 Chronic Violations and 125 Serious Violations reported would constitute 211 Minimum Mandatory Penalty Violations and would result in assessment of Administrative Civil Liabilities of \$633,000. Implementation of the plan shared on August 16, 2023, to restore compliance with the Order and CDO in the shortest possible time is a critical environmental responsibility.

Regarding the overdue submission of the Tijuana River Valley Monitoring Program Work Plan (Att. E, section 4.2.4 (pp.E-62,E-63), it has been indicated that this is planned as a binational project being developed as a Minute 320 project. In the interest of the most useful and informative monitoring and assessment of water quality in the Tijuana River watershed, please work with the Minute 320 Secretariats and Commissioner Resendez of the Comisión Internacional de Limites y Aguas (CILA, the Mexican Section of the IBWC) to expedite completion of the draft plan and a schedule for implementation to achieve compliance with the Order at the soonest date.

For questions or concerns regarding this NOV, please contact Vicente Rodriguez by phone at 619-521-3966 or by email at Vicente.Rodriguez@waterboards.ca.gov. In the subject line of any written response, please include the following: 257821:VRodriguez.

Respectfully,

David W. Gibson
Executive Officer

Attachment: Notice of Violation (NOV) No. R9-2023-0162

Copies to:

Laurie Walsh, San Diego Water Board, Laurie.Walsh@waterboards.ca.gov

Brandi Outwin-Beals, San Diego Water Board, Brandi.Outwin-Beals@waterboards.ca.gov

Morgan Rogers, Commissioner, International Boundary and Water Commission, U.S. Section, morgan.roger@ibwc.gov

Tech Staff Info & Use	
Technical Information	Number
Order No.	R9-2021-0001
NPDES No.	CA0108928
CW Place ID (South Bay International WTP)	CW-257821
CW Party/Organization ID (IBWC-US & Mexico Section)	21523
CW Party/Person ID (Dr. Maria-Elena Giner)	634777
CW Regulatory Measure (Order No. R9-2021-0001)	442331
CW Regulatory Measure (NOV R9-2023-0162)	453821
WDID	9 000000732

Tech Staff Info & Use (continued)	
Violation IDs	1095194, 1095195, 1095939, 1095941, 1095942, 1095943, 1098935, 1098937, 1100628, 1103622, 1103623, 1103624, 1103625, 1103626, 1103628, 1103629, 1103630, 1103631, 1103632, 1103633, 1103634, 1103635, 1103636, 1103637, 1103638, 1103943, 1103944, 1103945, 1103947, 1103948, 1103949, 1103950, 1103951, 1103952, 1103953, 1103954, 1103955, 1103956, 1103957, 1103958, 1104355, 1104356, 1104357, 1104358, 1104359, 1104360, 1104361, 1104362, 1104363, 1104364, 1104365, 1104366, 1104368, 1104369, 1105851, 1105852, 1105853, 1105854, 1105855, 1105856, 1105857, 1105858, 1105860, 1105861, 1105862, 1105863, 1105864, 1105865, 1106693, 1108811, 1108812, 1108814, 1108815, 1108816, 1108817, 1108819, 1108820, 1108821, 1108822, 1109623, 1109624, 1109625, 1109626, 1109627, 1109628, 1109630, 1109631, 1109632, 1109633, 1110722, 1110723, 1110724, 1110725, 1110726, 1110727, 1110729, 1110731, 1110732, 1110733, 1110734, 1110735, 1110736, 1111588, 1111589, 1111590, 1111591, 1111592, 1111593, 1111595, 1111597, 1111598, 1111599, 1111600, 1111601, 1112867, 1112868, 1112869, 1112870, 1112871, 1112872, 1112873, 1112874, 1112875, 1112877, 1112878, 1112879, 1112881, 1112882, 1112883, 1113382, 1114378, 1114380, 1114381, 1114382, 1114383, 1114384, 1114385, 1114386, 1114387, 1114388, 1114390, 1114391, 1114392, 1114393, 1114394, 1114947, 1114948, 1114949, 1114950, 1114951, 1114953, 1114954, 1114955, 1114956, 1114957, 1114959, 1114960, 1114961, 1114962, 1114963, 1114964, 1115867, 1115868, 1115869, 1115870, 1115871, 1115872, 1115873, 1115874, 1115875, 1115876, 1115877, 1115879, 1115880, 1117391, 1117392, 1117393, 1117394, 1117395, 1117396, 1117397, 1117398, 1117399, 1117400, 1117401, 1117402, 1117403, 1118212, 1118213, 1118215, 1118216, 1118217, 1118218, 1118219, 1118220, 1118221, 1118222, 1118223, 1118224, 1118225, 1118890, 1118892, 1118893, 1118894, 1118895, 1118896, 1118897, 1118898, 1118899, 1118900, 1118901, 1118902, 1118903, 1118904

Notice of Violation No. R9-2023-0162**to the United States International Boundary and Water Commission for Violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall***

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Notice of Violation (NOV) No. R9-2023-0162 to the United States International Boundary and Water Commission (USIBWC or Discharger) for violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order). These violations are a result of the Discharger's failure to comply with the Order.

1. Background

The Discharger is required to maintain and operate the South Bay International Wastewater Treatment Plant (SBIWTP) in compliance with requirements contained in the Order. Consistent with the Order, the Discharger is required to submit self-monitoring reports and other technical reports. Between September 30, 2021, and June 30, 2023, the Discharger self-reported 208 violations, and the San Diego Water Board identified six missing or late reports. The Discharger reported that most of the violations were caused by the inflow of sewage from Tijuana, Mexico exceeding the design flow capacity of the SBIWTP.

2. Summary of Alleged Violations the Order

The Discharger is alleged to have violated the following sections of the Order:

- 2.1. Section 4 of the Order:** The Discharger is required to maintain compliance with effluent limitations in section 4.1.1.1.

Observation: The Discharger self-reported 208¹ exceedances of the effluent limitations in the California Integrated Water Quality System (CIWQS) database.

- 2.2. Section 6.3.2.1 of the Order:** The Discharger was required to submit an Updated Flow Prevention/Response Plan Section 6.3.2.1.2 by December 28, 2021.

Observation: This Discharger submitted the Updated Flow Prevention/Response Plan Section 6.3.2.1.2 on December 15, 2022.

- 2.3. Section 6.3.2.5.1 of the Order:** The Discharger was required to submit an Asset Management Plan by December 28, 2021.

Observation: This Discharger submitted the Asset Management Plan on December 5, 2022.

- 2.4. Section 6.3.3.2.5 of the Order:** The Discharger was required to submit a Pollutant Minimization Program Annual Status Report by February 1, 2022.

¹ Exhibit 1, List of Violations

Observation: This Discharger submitted the Pollutant Minimization Program Annual Status Report on December 15, 2022.

- 2.5. Section 6.3.3.2.5 of the Order:** The Discharger was required to submit a Pollutant Minimization Program Annual Status Report by February 1, 2023.

Observation: This Discharger submitted the Pollutant Minimization Program Annual Status Report on February 21, 2023.

- 2.6. Attachment D, Section 1.1 of the Order:** The Discharger is required to comply with all terms, requirements, and conditions of the Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (Water Code) and is grounds for enforcement action including permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof.

Observation: The Discharger had 214 violations of the Order.

- 2.7. Attachment E, Section 4.2.4 of the Order:** The Discharger was required to submit a Tijuana River Valley Monitoring Plan (TRVMP) Work Plan by September 29, 2021.

Observation: This Discharger has not submitted the TRVMP Work Plan.

- 2.8. Attachment E, Section 3.3.6 of the Order:** The Discharger was required to submit an Initial Investigation TRE Work Plan by September 29, 2021.

Observation: This Discharger submitted the Initial Investigation TRE Work Plan on March 8, 2022.

3. Potential Enforcement Actions

The alleged violations may potentially subject the Discharger to additional enforcement by the San Diego Water Board or the State Water Resources Control Board (State Water Board). The San Diego Water Board intends and desires to continue to engage proactively and constructively with the Discharger through judicious and progressive enforcement efforts.

Notice of Violation R9-2023-0162
Exhibit 1, List of Violations

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
1	1095939	09/05/21 through 09/11/21	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 milliliters per liter (ml/L) with a result of 1.8 ml/L.
2	1095943	9/8/2021	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 3.4 ml/L.
3	1095941	9/9/2021	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 4 ml/L.
4	1095942	9/10/2021	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 4 ml/L.
5	1095194	09/30/21 through ongoing	Late Report	Tijuana River Valley Work Plan (Doc ID:2523482), due 09/29/2021, has not been submitted.
6	1095195	09/30/21 through 03/08/22	Late Report	Initial Investigation TRE Work Plan (Doc ID:2523481), due 09/29/2021, was submitted on 3/8/2022.
7	1098935	12/29/21 through 12/15/22	Late Report	Updated Flow Prevention/Response Plan Section 6.3.2.1.2 (Doc ID:2528203), due 12/28/2021, was submitted on 12/15/2022.
8	1098937	12/29/21 through 12/05/22	Late Report	Asset Management Plan (Doc ID:2528204), due 12/28/2021, was submitted on 12/5/2022.
9	1103943	02/01/22 through 02/28/22	CAT1	Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C (CBOD) concentration exceeded the monthly average effluent limitation of 25 milligram per liter (mg/L) with a result of 55 mg/L.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
10	1103945	02/01/22 through 02/28/22	CAT1	Total Suspended Solids (TSS) percent removal did not meet the monthly average minimum requirement of 85% with a result of 63.59%.
11	1103951	02/01/22 through 02/28/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 100 mg/L.
12	1103952	02/01/22 through 02/28/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 pounds per day (lb/day) with a result of 14,151 lb/day.
13	1103954	02/01/22 through 02/28/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 26,591 lb/day.
14	1103955	02/01/22 through 02/28/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85 % with a result of 76.21 %
15	1103958	02/01/22 through 02/28/22	OEV	Settleable Solids concentration exceeded the monthly average effluent limitation of 1 ml/L with a result of 2.68 ml/L.
16	1100628	02/02/22 through 12/15/22	Late Report	Pollutant Minimization Program Annual Status Report (Doc ID:2528201), due 02/01/2022, was submitted on 12/15/2022.
17	1103948	02/13/22 through 02/19/22	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 5.8 ml/L.
18	1103956	2/16/2022	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 40 ml/L.
19	1103944	02/20/22 through 02/26/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 142.09 mg/L.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
20	1103947	02/20/22 through 02/26/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 264 mg/L.
21	1103949	02/20/22 through 02/26/22	OEV	Turbidity concentration exceeded the weekly average effluent limitation of 100 Nephelometric Turbidity Units (NTU) with a result of 169.6 NTU.
22	1103950	02/20/22 through 02/26/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 79,454 lb/day.
23	1103953	02/20/22 through 02/26/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 41,591 lb/day.
24	1103957	2/23/2022	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 800 NTU.
25	1104360	02/27/22 through 03/05/22	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 146.33 NTU.
26	1103622	03/01/22 through 03/31/22	OEV	Settleable Solids concentration exceeded the monthly average effluent limitation of 1 ml/L with a result of 1.78 ml/L.
27	1103624	03/01/22 through 03/31/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 57.1%.
28	1103629	03/01/22 through 03/31/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 143 mg/L.
29	1103631	03/01/22 through 03/31/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 33,887 lb/day.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
30	1103636	03/01/22 through 03/31/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 48 mg/L.
31	1103637	03/01/22 through 03/31/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 82.06%.
32	1103638	03/01/22 through 03/31/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 11,102 lb/day.
33	1103625	03/06/22 through 03/12/22	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 1.94 ml/L.
34	1103630	03/13/22 through 03/19/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 40,701 lb/day.
35	1103632	03/13/22 through 03/19/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 194 mg/L.
36	1103634	03/13/22 through 03/19/22	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 124.19 NTU.
37	1103623	03/27/22 through 04/02/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 13,722 lb/day.
38	1103633	03/27/22 through 04/02/22	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 75 NTU with a result of 83.4 NTU.
39	1103635	03/27/22 through 04/02/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 65.29 mg/L.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
40	1104358	03/27/22 through 04/02/22	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 5.51 ml/L.
41	1103626	3/29/2022	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 38 ml/L.
42	1103628	3/29/2022	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 797 NTU.
43	1104355	04/01/22 through 04/30/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 62.39%.
44	1104356	04/01/22 through 04/30/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 128 mg/L.
45	1104357	04/01/22 through 04/30/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 77.91%.
46	1104359	04/01/22 through 04/30/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 25,897 lb/day.
47	1104364	04/01/22 through 04/30/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 61 mg/L.
48	1104366	04/01/22 through 04/30/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 12,351 lb/day.
49	1104363	4/16/2022	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 5 ml/L.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
50	1104361	04/24/22 through 04/30/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 267 mg/L.
51	1104362	04/24/22 through 04/30/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 65,429 lb/day.
52	1104368	04/24/22 through 04/30/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 135.29 mg/L.
53	1104369	04/24/22 through 04/30/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 27,819 lb/day.
54	1104365	4/26/2022	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 227 NTU.
55	1105852	05/01/22 through 05/31/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 77 mg/L.
56	1105853	05/01/22 through 05/31/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 45 mg/L.
57	1105854	05/01/22 through 05/31/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 14,442 lb/day.
58	1105857	05/01/22 through 05/31/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 82.3%.
59	1105860	05/01/22 through 05/31/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 8,325 lb/day.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
60	1105862	05/01/22 through 05/31/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 76.87%.
61	1105851	05/08/22 through 05/14/22	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 1.67 ml/L.
62	1105856	05/08/22 through 05/14/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 173 mg/L.
63	1105861	05/08/22 through 05/14/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 18,794 lb/day.
64	1105863	05/08/22 through 05/14/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 31,258 lb/day.
65	1105864	05/08/22 through 05/14/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 104 mg/L with a result of 40 mg/L.
66	1105865	05/08/22 through 05/14/22	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 113.84 NTU.
67	1105855	5/10/2022	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 286 NTU.
68	1105858	5/10/2022	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 11 ml/L.
69	1106693	06/05/22 through 06/11/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 45.57 mg/L.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
70	1108811	08/01/22 through 08/31/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 32 mg/L.
71	1108814	08/01/22 through 08/31/22	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 31.31 MGD.
72	1108815	08/01/22 through 08/31/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 15,890 lb/day.
73	1108820	08/01/22 through 08/31/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 8,327 lb/day.
74	1108821	08/01/22 through 08/31/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 78.78%.
75	1108822	08/01/22 through 08/31/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 62 mg/L.
76	1108812	08/21/22 through 08/27/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 49.4 mg/L.
77	1108819	08/21/22 through 08/27/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 12,175 lb/day.
78	1108816	08/28/22 through 09/03/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 45 mg/L with a result of 82 mg/L.
79	1108817	08/28/22 through 09/03/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 9,383 lb/day with a result of 20,267 lb/day.
80	1109623	09/01/22 through 09/30/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 84.37%.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
81	1109624	09/01/22 through 09/30/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 39 mg/L.
82	1109627	09/01/22 through 09/30/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 72 mg/L.
83	1109628	09/01/22 through 09/30/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 19,365 lb/day.
84	1109631	09/01/22 through 09/30/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 76.7%.
85	1109633	09/01/22 through 09/30/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 10,372 lb/day.
86	1109625	09/25/22 through 10/01/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 54.46 mg/L.
87	1109626	09/25/22 through 10/01/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 15,122 lb/day.
88	1109630	09/25/22 through 10/01/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 27,487 lb/day.
89	1109632	09/25/22 through 10/01/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 99 mg/L.
90	1110722	10/01/22 through 10/31/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 46 mg/L.
91	1110724	10/01/22 through 10/31/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 12,355 lb/day.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
92	1110725	10/01/22 through 10/31/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 70.5%.
93	1110727	10/01/22 through 10/31/22	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 32.17 MGD.
94	1110731	10/01/22 through 10/31/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 88 mg/L.
95	1110735	10/01/22 through 10/31/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 23,519 lb/day.
96	1110736	10/01/22 through 10/31/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 80.46%.
97	1110723	10/30/22 through 11/05/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 81.81 mg/L.
98	1110729	10/30/22 through 11/05/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 151 mg/L.
99	1110732	10/30/22 through 11/05/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 21,821 lb/day.
100	1110733	10/30/22 through 11/05/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 40,368 lb/day.
101	1110734	10/30/22 through 11/05/22	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 104.51 NTU.
102	1111591	10/30/22 through 11/05/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 159 mg/L.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
103	1111593	10/30/22 through 11/05/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 41,982 lb/day.
104	1111595	10/30/22 through 11/05/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 88.43 mg/L.
105	1110726	10/31/2022	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 389 NTU.
106	1111588	11/01/22 through 11/30/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 130 mg/L.
107	1111589	11/01/22 through 11/30/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 36,536 lb/day.
108	1111590	11/01/22 through 11/30/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 19,647 lb/day.
109	1111592	11/01/22 through 11/30/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 70 mg/L.
110	1111597	11/01/22 through 11/30/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 72.08%.
111	1111598	11/01/22 through 11/30/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 61.1%.
112	1111600	11/06/22 through 11/12/22	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 2.51 ml/L.
113	1111601	11/06/22 through 11/12/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 23,468 lb/day.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
114	1111599	11/9/2022	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 mg/L with a result of 17 mg/L.
115	1112868	12/01/22 through 12/31/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 67 mg/L.
116	1112869	12/01/22 through 12/31/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 17,511 lb/day.
117	1112871	12/01/22 through 12/31/22	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 28.64 MGD.
118	1112877	12/01/22 through 12/31/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 77.07%.
119	1112878	12/01/22 through 12/31/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 68.06%.
120	1112879	12/01/22 through 12/31/22	OEV	Settleable Solids concentration exceeded the monthly average effluent limitation of 1 ml/L with a result of 1.39 ml/L.
121	1112882	12/01/22 through 12/31/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 117 mg/L.
122	1112883	12/01/22 through 12/31/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 31,147 lb/day.
123	1112867	12/25/22 through 12/31/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 31,849 lb/day.
124	1112870	12/25/22 through 12/31/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 121.91 mg/L.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
125	1112872	12/25/22 through 12/31/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 184 mg/L.
126	1112873	12/25/22 through 12/31/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 49,021 lb/day.
127	1112875	12/25/22 through 12/31/22	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 5.8 ml/L.
128	1112874	12/28/2022	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 283 NTU.
129	1112881	12/28/2022	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 40 ml/L.
130	1114378	01/01/23 through 01/31/23	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 37 mg/L.
131	1114380	01/01/23 through 01/31/23	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 27.46 MGD.
132	1114381	01/01/23 through 01/31/23	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 75 mg/L.
133	1114382	01/01/23 through 01/31/23	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 86.86%.
134	1114386	01/01/23 through 01/31/23	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 78.31%.
135	1114387	01/01/23 through 01/31/23	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 21,856 lb/day.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
136	1114388	01/01/23 through 01/31/23	OEV	Settleable Solids concentration exceeded the monthly average effluent limitation of 1 ml/L with a result of 1.6 ml/L.
137	1114392	01/01/23 through 01/31/23	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 10,748 lb/day.
138	1114383	01/15/23 through 01/21/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 9,383 mg/L with a result of 39,877 mg/L.
139	1114384	01/15/23 through 01/21/23	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 1.51 ml/L.
140	1114391	01/15/23 through 01/21/23	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 54.61 mg/L.
141	1114385	01/29/23 through 02/04/23	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 19,840 lb/day.
142	1114393	01/29/23 through 02/04/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 112 mg/L.
143	1114951	01/29/23 through 02/04/23	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 3.74 ml/L.
144	1114390	1/31/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 314 NTU.
145	1114394	1/31/2023	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 25 ml/L.
146	1114948	02/01/23 through 02/28/23	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 47.94%.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
147	1114949	02/01/23 through 02/28/23	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 39,243 lb/day.
148	1114954	02/01/23 through 02/28/23	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 146 mg/L.
149	1114959	02/01/23 through 02/28/23	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 28.83 MGD.
150	1114960	02/01/23 through 02/28/23	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 84 mg/L.
151	1114961	02/01/23 through 02/28/23	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 22,471 lb/day.
152	1114963	02/01/23 through 02/28/23	OEV	Turbidity cloudiness exceeded the monthly average effluent limitation of 75 NTU with a result of 87.99 NTU.
153	1114964	02/01/23 through 02/28/23	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 63.25%.
154	1113382	02/02/23 through 02/21/23	Late Report	Pollutant Minimization Program Annual Status Report (Doc ID:2528232), due 02/01/2023, was submitted on 2/21/23.
155	1114947	02/12/23 through 02/18/23	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 167.09 NTU.
156	1114950	02/12/23 through 02/18/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 242 mg/L.
157	1114953	02/12/23 through 02/18/23	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 123 mg/L.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
158	1114955	02/12/23 through 02/18/23	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 35,298 lb/day.
159	1114962	02/12/23 through 02/18/23	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 70,259 lb/day.
160	1114957	2/13/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 620 NTU.
161	1114956	2/23/2023	OEV	Settleable Solids concentration exceeded the instantaneous maximum 3 ml/L with a result of 5 ml/L.
162	1115870	02/26/23 through 03/04/23	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 20,801 lb/day.
163	1115871	02/26/23 through 03/04/23	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 84.54 mg/L.
164	1115867	03/01/23 through 03/31/23	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 63 mg/L.
165	1115868	03/01/23 through 03/31/23	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 14,957 lb/day.
166	1115872	03/01/23 through 03/31/23	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 145 mg/L.
167	1115873	03/01/23 through 03/31/23	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 34,885 lb/day.
168	1115877	03/01/23 through 03/31/23	OEV	Settleable Solids concentration exceeded the monthly average effluent limitation of 1 ml/L with a result of 1.82 ml/L.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
169	1115879	03/01/23 through 03/31/23	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 44.17%.
170	1115869	03/05/23 through 03/11/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 174 mg/L.
171	1115876	03/05/23 through 03/11/23	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 47,873 lb/day.
172	1115880	3/11/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 279 NTU.
173	1115874	03/12/23 through 03/18/23	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 5.8 ml/L.
174	1115875	3/15/2023	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 40 ml/L.
175	1117403	04/01/23 through 04/30/23	OEV	Turbidity cloudiness exceeded the monthly average effluent limitation of 75 NTU with a result of 93.35 NTU.
176	1117393	04/01/23 through 04/30/23	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 198 mg/L.
177	1117395	04/01/23 through 04/30/23	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 116 mg/L.
178	1117398	04/01/23 through 04/30/23	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 34.41%.
179	1117399	04/01/23 through 04/30/23	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 19.81%.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
180	1117400	04/01/23 through 04/30/23	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 20,602 lb/day.
181	1117401	04/01/23 through 04/30/23	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 35,389 lb/day.
182	1117396	04/09/23 through 04/15/23	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 115.43 NTU.
183	1117397	4/21/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 236 NTU.
184	1117391	04/23/23 through 04/29/23	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 142.29 mg/L.
185	1117392	04/23/23 through 04/29/23	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 25,628 lb/day.
186	1117394	04/23/23 through 04/29/23	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 41,825 lb/day.
187	1117402	04/23/23 through 04/29/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 232 mg/L.
188	1118212	04/30/23 through 05/06/23	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 125.86 NTU.
189	1118220	04/30/23 through 05/06/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 188 mg/L.
190	1118221	04/30/23 through 05/06/23	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 26,431 lb/day.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
191	1118222	04/30/23 through 05/06/23	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 108.86 mg/L.
192	1118225	04/30/23 through 05/06/23	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 42,864 lb/day.
193	1118215	05/01/23 through 05/31/23	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 130 mg/L.
194	1118216	05/01/23 through 05/31/23	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 29,778 lb/day.
195	1118217	05/01/23 through 05/31/23	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 53.36%.
196	1118218	05/01/23 through 05/31/23	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 17,513 lb/day.
197	1118219	05/01/23 through 05/31/23	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 76 mg/L.
198	1118223	05/01/23 through 05/31/23	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 26.89 MGD.
199	1118224	05/01/23 through 05/31/23	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 63.17%.
200	1118213	5/1/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 409 NTU.
201	1118892	06/01/23 through 06/30/23	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 29.43 MGD.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
202	1118894	06/01/23 through 06/30/23	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 161 mg/L.
203	1118895	06/01/23 through 06/30/23	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 20,850 lb/day.
204	1118896	06/01/23 through 06/30/23	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 40,187 lb/day.
205	1118898	06/01/23 through 06/30/23	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 65.07%.
206	1118901	06/01/23 through 06/30/23	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 83 mg/L.
207	1118903	06/01/23 through 06/30/23	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 44.71%.
208	1118904	06/01/23 through 06/30/23	OEV	Turbidity cloudiness exceeded the monthly average effluent limitation of 75 NTU with a result of 80.94 NTU.
209	1118893	06/11/23 through 06/17/23	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 25,202 lb/day.
210	1118897	06/11/23 through 06/17/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 199 mg/L.
211	1118899	06/11/23 through 06/17/23	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 49,968 lb/day.
212	1118900	06/11/23 through 06/17/23	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 107.78 NTU.

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
213	1118902	06/11/23 through 06/17/23	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 101.29 mg/L.
214	1118890	6/13/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 278 NTU.

TERM	DEFINITION
CAT1	Category 1 violation type. This violation type is identified when the water quality effluent parameter is part of the Group I pollutant.
CAT2	Category 2 violation type. This violation type is identified when the water quality effluent parameter is part of the Group II pollutant.
CIWQS	California Integrated Water Quality System database.
GROUP	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
Occurrence Date(s)	Date that a violation occurred. For continuing violations, such as a monthly average, the days of the reporting period are used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
Violation Description	Narrative description of the violation.
Violation ID	Identification number assigned to a violation in CIWQS.



San Diego Regional Water Quality Control Board

October 27, 2023

Dr. Maria-Elena Giner, P.E.
Commissioner
International Boundary and Water
Commission, United States Section
4191 N. Mesa
El Paso, Texas 79902
mariaelena.giner@ibwc.gov

Sent by Email Only

In reply refer to:
257821:VRodriguez

**Subject: Notice of Violation No. R9-2023-0205 to the United States
International Boundary and Water Commission for Violations of
Order No. R9-2021-0001**

Dr. Maria-Elena Giner:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Notice of Violation (NOV) No. R9-2023-0205 to the United States International Boundary and Water Commission (USIBWC or Discharger) for alleged violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order). These alleged violations are a result of the Discharger's failure to comply with the Order.

1. Background

The Discharger is required to operate and maintain the South Bay International Wastewater Treatment Plant (SBIWTP) in compliance with requirements contained in the Order. Consistent with the Order, the Discharger is required to submit self-monitoring reports and other technical reports. Between July 1, 2023, and August 30, 2023, the Discharger self-reported 27 effluent limitation exceedances. The Discharger reported that most of the effluent limitation exceedances were caused by the inflow of sewage from Tijuana, Mexico exceeding the design flow capacity of the SBIWTP. In addition, the Discharger has not submitted six self-monitoring reports with appropriate units and values consistent with the Order, as directed by the State Water Resources Control Board (State Water Board). The missing reports are for the months of April 2022 through September 2022.

2. Summary of Alleged Violations of the Order

The Discharger is alleged to have violated the following sections of the Order:

2.1. Section 4 of the Order: The Discharger is required to maintain compliance with effluent limitations in section 4.1.1.1 of the Order.

Observation: The Discharger self-reported 27¹ exceedances of effluent limitations in the California Integrated Water Quality System (CIWQS) database.

2.2. Attachment D, Section 1.1 of the Order: The Discharger is required to comply with all terms, requirements, and conditions of the Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (Water Code) and is grounds for enforcement action including permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof.

Observation: The Discharger self-reported 27 exceedances of effluent limitations.

2.3 Attachment E, Section 7.2 of the Order: The Discharger is required to submit Self-Monitoring Reports to CIWQS consistent with the Order.

Observation: The Discharger submitted six self-monitoring reports for the months of April 2022 through September 2022 (CIWQS Document IDs 2528323 2528324, 2528325, 2528326, 2528327, and 2528328). The State Water Board identified that the values for arsenic, cadmium, cyanide, copper, lead, molybdenum, nickel, selenium, silver, thallium, and zinc were submitted with incorrect units and calculated values.

On December 1, 2022, the State Water Board withdrew the submitted reports and directed the Discharger to re-submit the Self-Monitoring Reports with the corrected units and values.

The Discharger has not submitted self-monitoring reports to CIWQS with appropriate units and values consistent with the Order.

3. Potential Enforcement Actions

The alleged violations may subject the Discharger to additional enforcement by the San Diego Water Board or the State Water Board. The San Diego Water Board intends and desires to continue to engage proactively and constructively with the Discharger through judicious and progressive enforcement efforts.

For questions or concerns regarding this NOV, please contact Vicente Rodriguez by phone at 619-521-3966 or by email at Vicente.Rodriguez@waterboards.ca.gov. In the subject line of any written response, please include the following: 257821:VRodriguez.

¹ Exhibit 1, List of Violations

Respectfully,

Laurie A. Walsh, P.E.
Supervising Water Resource Control Engineer
Surface Water Protection Branch

Attachment: Exhibit 1, List of Violations

Copies to:

Brandi Outwin-Beals, San Diego Water Board,
Brandi.Outwin-Beals@waterboards.ca.gov

Vicente Rodriguez, San Diego Water Board, Vicente.Rodriguez@waterboards.ca.gov

Morgan Rogers, Area Operations Manager, International Boundary and Water
Commission, U.S. Section, morgan.roger@ibwc.gov

Tech Staff Info & Use	
Technical Information	Number
Order No.	R9-2021-0001
NPDES No.	CA0108928
CW Place ID (South Bay International WTP)	CW-257821
CW Party/Organization ID (IBWC-US & Mexico Section)	21523
CW Party/Person ID (Dr. Maria-Elena Giner)	634777
CW Regulatory Measure (Order No. R9-2021-0001)	442331
CW Regulatory Measure (NOV R9-2023-0205)	454744
WDID	9 000000732
Violation IDs	1119739, 1119743, 1119745, 1119746, 1119747, 1119749, 1119750, 1119751, 1119740, 1119744, 1119748, 1119752, 1119753, 1120606, 1120607, 1120608, 1120609, 1120610, 1120611, 1120613, 1120614, 1120601, 1120602, 1120604, 1120612, 1120603, 1120605, 1121285, 1121286, 1121287, 1121288, 1121289

Notice of Violation R9-2023-0205**Exhibit 1****Table 1 – List of Violations**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
1	1119739	07/01/2023 through 07/31/2023	OEV	Turbidity cloudiness exceeded the monthly average effluent limitation of 75 Nephelometric Turbidity Units (NTU) with a result of 86 NTU.
2	1119743	07/01/2023 through 07/31/2023	CAT1	Total Suspended Solids (TSS) mass emission rate exceeded the monthly average of effluent limitation of 6,255 pounds per day (lb/day) with a result of 49,323 lb/day.
3	1119745	07/01/2023 through 07/31/2023	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 51%.
4	1119746	07/01/2023 through 07/31/2023	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 30 milligram per liter (mg/L) with a result of 174 mg/L.
5	1119747	07/01/2023 through 07/31/2023	CAT1	Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C (CBOD) mass emission rate exceeded the monthly average of effluent limitation of 5,213 lb/day with a result of 23,975 lb/day.
6	1119749	07/01/2023 through 07/31/2023	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 million gallons per day (MGD) with a result of 33 MGD.
7	1119750	07/01/2023 through 07/31/2023	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 69%.
8	1119751	07/01/2023 through 07/31/2023	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 85 mg/L.

Notice of Violation R9-2023-0205**Exhibit 1**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
9	1119740	07/09/2023 through 07/15/2023	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 114 NTU.
10	1119744	07/09/2023 through 07/15/2023	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 101 mg/L.
11	1119748	07/09/2023 through 07/15/2023	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 27,804 lb/day.
12	1119752	07/09/2023 through 07/15/2023	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 62,306 lb/day.
13	1119753	07/09/2023 through 07/15/2023	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 227 mg/L.
14	1120606	08/01/2023 through 08/31/2023	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 27 MGD.
15	1120607	08/01/2023 through 08/31/2023	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 67%.
16	1120608	08/01/2023 through 08/31/2023	CAT1	CBOD mass emission rate exceeded the monthly average of effluent limitation of 5,213 lb/day with a result of 18,013 lb/day.
17	1120609	08/01/2023 through 08/31/2023	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 52%.
18	1120610	08/01/2023 through 08/31/2023	CAT1	TSS mass emission rate exceeded the monthly average of effluent limitation of 30 lb/day with a result of 142 lb/day.

Notice of Violation R9-2023-0205**Exhibit 1**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
19	1120611	08/01/2023 through 08/31/2023	CAT1	TSS mass emission rate exceeded the monthly average of effluent limitation of 6,255 lb/day with a result of 34,835 lb/day.
20	1120613	08/01/2023 through 08/31/2023	OEV	Turbidity cloudiness exceeded the monthly average of effluent limitation of 75 NTU with a result of 83 NTU.
21	1120614	08/01/2023 through 08/31/2023	CAT1	CBOD concentration exceeded the monthly average of effluent limitation of 25 mg/L with a result of 73 mg/L.
22	1120601	08/06/2023 through 08/12/2023	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 110 mg/L.
23	1120602	08/06/2023 through 08/12/2023	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 275,415 lb/day.
24	1120604	08/06/2023 through 08/12/2023	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 45,716 lb/day.
25	1120612	08/06/2023 through 08/12/2023	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 184 mg/L.
26	1120603	08/20/2023 through 08/26/2023	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 126 NTU.
27	1120605	08/21/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 708 NTU.

Notice of Violation R9-2023-0205**Exhibit 1****Table 2 - Definitions**

TERM	DEFINITION
CAT1	Category 1 violation type. This violation type is identified when the water quality effluent parameter is part of the Group I pollutant.
CAT2	Category 2 violation type. This violation type is identified when the water quality effluent parameter is part of the Group II pollutant.
CIWQS	California Integrated Water Quality System database.
GROUP	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
Occurrence Date(s)	Date that a violation occurred. For continuing violations, such as a monthly average, the days of the reporting period are used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
Violation Description	Narrative description of the violation.
Violation ID	Identification number assigned to a violation in CIWQS.



San Diego Regional Water Quality Control Board

November 16, 2023

Dr. Maria-Elena Giner, P.E.
 Commissioner
 International Boundary and Water
 Commission, United States Section
 4191 N. Mesa
 El Paso, Texas 79902
mariaelena.giner@ibwc.gov

Sent by Email Only

In reply refer to:
257821:VRodriguez

**Subject: Notice of Violation No. R9-2023-0216 to the United States
 International Boundary and Water Commission for Violations of
 Order No. R9-2021-0001**

Dr. Maria-Elena Giner:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Notice of Violation (NOV) No. R9-2023-0216 to the United States International Boundary and Water Commission (USIBWC or Discharger) for alleged violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order). These alleged violations are a result of the Discharger's failure to comply with the Order.

1. Background

The Discharger is required to operate and maintain the South Bay International Wastewater Treatment Plant (SBIWTP) in compliance with requirements contained in the Order. Consistent with the Order, the Discharger is required to submit self-monitoring reports and other technical reports. Between September 1, 2023, and September 30, 2023, the Discharger self-reported ten effluent limitation exceedances.

2. Summary of Alleged Violations of the Order

The Discharger is alleged to have violated the following sections of the Order:

2.1. Section 4 of the Order: The Discharger is required to maintain compliance with effluent limitations in section 4.1.1.1 of the Order.

Observation: The Discharger self-reported ten¹ exceedances of effluent limitations in the California Integrated Water Quality System (CIWQS) database.

¹ Exhibit 1, List of Violations

2.2. Attachment D, Section 1.1 of the Order: The Discharger is required to comply with all terms, requirements, and conditions of the Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (Water Code) and is grounds for enforcement action including permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof.

Observation: The Discharger self-reported 10 exceedances of effluent limitations.

3. Potential Enforcement Actions

The alleged violations may subject the Discharger to additional enforcement by the San Diego Water Board or the State Water Board. The San Diego Water Board intends and desires to continue to engage proactively and constructively with the Discharger through judicious and progressive enforcement efforts.

For questions or concerns regarding this NOV, please contact Vicente Rodriguez by phone at 619-521-3966 or by email at Vicente.Rodriguez@waterboards.ca.gov. In the subject line of any written response, please include the following: 257821:VRodriguez.

Respectfully,

Brandi Outwin-Beals, P.E.
Senior Water Resource Control Engineer
Source Control Regulation Unit

Attachment: Exhibit 1, List of Violations

Copies to:

Laurie A. Walsh, San Diego Water Board, Laurie.Walsh@waterboards.ca.gov

Vicente Rodriguez, San Diego Water Board, Vicente.Rodriguez@waterboards.ca.gov

Morgan Rogers, Area Operations Manager, International Boundary and Water Commission, U.S. Section, morgan.roger@ibwc.gov

Tech Staff Info & Use	
Technical Information	Number
Order No.	R9-2021-0001
NPDES No.	CA0108928
CW Place ID (South Bay International WTP)	CW-257821
CW Party/Organization ID (IBWC-US & Mexico Section)	21523
CW Party/Person ID (Dr. Maria-Elena Giner)	634777
CW Regulatory Measure (Order No. R9-2021-0001)	442331
CW Regulatory Measure (NOV R9-2023-0216)	455044
WDID	9 000000732
Violation IDs	1121385, 1121387, 1121388, 1121389, 1121392, 1121386, 1121390, 1121393, 1121394, 1121391

Notice of Violation R9-2023-0216**Exhibit 1****Table 1 – List of Violations**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
1	1121385	09/01/2023 through 09/30/2023	CAT1	Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C (CBOD) concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 29 mg/L.
2	1121387	09/01/2023 through 09/30/2023	CAT1	Total Suspended Solids (TSS) percent removal did not meet the monthly average minimum requirement of 85% with a result of 76%.
3	1121388	09/01/2023 through 09/30/2023	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 60 mg/L.
4	1121389	09/01/2023 through 09/30/2023	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 13,035 lb/day.
5	1121392	09/01/2023 through 09/30/2023	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 6,268 lb/day.
6	1121386	09/17/2023 through 09/23/2023	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 60 lb/day.
7	1121390	09/17/2023 through 09/23/2023	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 32,230 lb/day.
8	1121393	09/17/2023 through 09/23/2023	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 13,650 lb/day.
9	1121394	09/17/2023 through 09/23/2023	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 141 mg/L.
10	1121391	09/20/2023	OEV	Turbidity cloudiness exceeded the instantaneous effluent limitation of 225 NTU with a result of 405 NTU.

Notice of Violation R9-2023-0216**Exhibit 1****Table 2 - Definitions**

TERM	DEFINITION
CAT1	Category 1 violation type. This violation type is identified when the water quality effluent parameter is part of the Group I pollutant.
CAT2	Category 2 violation type. This violation type is identified when the water quality effluent parameter is part of the Group II pollutant.
CIWQS	California Integrated Water Quality System database.
GROUP	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
Occurrence Date(s)	Date that a violation occurred. For continuing violations, such as a monthly average, the days of the reporting period are used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
Violation Description	Narrative description of the violation.
Violation ID	Identification number assigned to a violation in CIWQS.



San Diego Regional Water Quality Control Board

December 21, 2023

Dr. Maria-Elena Giner, P.E.
 Commissioner
 International Boundary and Water
 Commission, United States Section
 4191 N. Mesa
 El Paso, Texas 79902
mariaelena.giner@ibwc.gov

Sent by Email Only

In reply refer to:
257821:VRodriguez

**Subject: Notice of Violation No. R9-2023-0222 to the United States
 International Boundary and Water Commission for Violations of
 Order No. R9-2021-0001**

Dr. Maria-Elena Giner:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Notice of Violation (NOV) No. R9-2023-0222 to the United States International Boundary and Water Commission (USIBWC or Discharger) for alleged violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order). These alleged violations are a result of the Discharger's failure to comply with the Order.

1. Background

The Discharger is required to operate and maintain the South Bay International Wastewater Treatment Plant (SBIWTP) in compliance with requirements contained in the Order. Consistent with the Order, the Discharger is required to submit self-monitoring reports and other technical reports. Between October 1, 2023, and October 31, 2023, the Discharger self-reported 16 effluent limitation exceedances. In addition, the Discharger has not submitted six self-monitoring reports with appropriate units and values consistent with the Order, as directed by the State Water Resources Control Board (State Water Board). The missing reports are for the months of April 2022 through September 2022.

2. Summary of Alleged Violations of the Order

The Discharger is alleged to have violated the following sections of the Order:

2.1. Section 4 of the Order: The Discharger is required to maintain compliance with effluent limitations in section 4.1.1.1 of the Order.

Observation: The Discharger self-reported 16¹ exceedances of effluent limitations in the California Integrated Water Quality System (CIWQS) database.

- 2.2. Attachment D, Section 1.1 of the Order:** The Discharger is required to comply with all terms, requirements, and conditions of the Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (Water Code) and is grounds for enforcement action including permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof.

Observation: The Discharger had 22 violations of the Order.

- 2.3. Attachment E, Section 7.2 of the Order:** The Discharger is required to submit Self-Monitoring Reports to CIWQS consistent with the Order.

Observation: The Discharger submitted six self-monitoring reports for the months of April 2022 through September 2022 (CIWQS Document IDs 2528323, 2528324, 2528325, 2528326, 2528327, and 2528328). The State Water Board identified that the values for arsenic, cadmium, cyanide, copper, lead, molybdenum, nickel, selenium, silver, thallium, and zinc were submitted with incorrect units and calculated values.

On December 1, 2022, the State Water Board withdrew the submitted reports and directed the Discharger to re-submit the Self-Monitoring Reports with the corrected units and values.

The Discharger has not submitted self-monitoring reports to CIWQS with appropriate units and values consistent with the Order.

3. Potential Enforcement Actions

The alleged violations may subject the Discharger to additional enforcement by the San Diego Water Board or the State Water Board. The San Diego Water Board intends and desires to continue to engage proactively and constructively with the Discharger through judicious and progressive enforcement efforts.

For questions or concerns regarding this NOV, please contact Vicente Rodriguez by phone at 619-521-3966 or by email at Vicente.Rodriguez@waterboards.ca.gov. In the subject line of any written response, please include the following: 257821:VRodriguez.

Respectfully,

Kelly Dorsey
Assistant Executive Officer

¹ Exhibit 1, List of Violations

Attachment: Exhibit 1, List of Violations

Copies to:

Laurie A. Walsh, San Diego Water Board, laurie.walsh@waterboards.ca.gov

Brandi Outwin-Beals, San Diego Water Board, brandi.outwin-beals@waterboards.ca.gov

Vicente Rodriguez, San Diego Water Board, vicente.rodriquez@waterboards.ca.gov

Morgan Rogers, Area Operations Manager, International Boundary and Water Commission, U.S. Section, morgan.roger@ibwc.gov

Tech Staff Info & Use	
Technical Information	Number
Order No.	R9-2021-0001
NPDES No.	CA0108928
CW Place ID (South Bay International WTP)	CW-257821
CW Party/Organization ID (IBWC-US & Mexico Section)	21523
CW Party/Person ID (Dr. Maria-Elena Giner)	634777
CW Regulatory Measure (Order No. R9-2021-0001)	442331
CW Regulatory Measure (NOV R9-2023-0222)	455365
WDID	9 000000732
Violation IDs	1122285, 1122286, 1122276, 1122277, 1122281, 1122282, 1122287, 1122288, 1122289, 1122290, 1122275, 1122280, 1122283, 1122284, 1121285, 1121286, 1121287, 1121288, 1121289, 1121290, 1122278, 1122279

Notice of Violation R9-2023-0222**Exhibit 1****Table 1 – List of Violations**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
1	1122285	10/01/2023	OEV	Turbidity cloudiness exceeded the instantaneous effluent limitation of 225 NTU with a result of 653 NTU.
2	1122286	10/01/2023	OEV	Settleable Solids concentration exceeded the instantaneous effluent limitation of 3 mg/L with a result of 21 mg/L.
3	1122276	10/01/2023 through 10/31/2023	CAT1	Total Suspended Solids (TSS) concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 233 mg/L.
4	1122277	10/01/2023 through 10/31/2023	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 51,038 lb/day.
5	1122281	10/01/2023 through 10/31/2023	CAT1	Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C (CBOD) concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 89 mg/L.
6	1122282	10/01/2023 through 10/31/2023	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 19,520 lb/day.
7	1122287	10/01/2023 through 10/31/2023	OEV	Turbidity cloudiness exceeded the monthly average effluent limitation of 75 NTU with a result of 144 NTU.
8	1122288	10/01/2023 through 10/31/2023	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 20%.
9	1122289	10/01/2023 through 10/31/2023	OEV	Flowrate exceeded the monthly average effluent limitation of 25 million gallons per day (MGD) with a result of 25.41 MGD.
10	1122290	10/01/2023 through 10/31/2023	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 59%.

Notice of Violation R9-2023-0222**Exhibit 1**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
11	1122275	10/08/2023 through 10/14/2023	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 79,055 lb/day.
12	1122280	10/08/2023 through 10/14/2023	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 31,994 lb/day.
13	1122283	10/08/2023 through 10/14/2023	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 2 mg/L with a result of 3 mg/L.
14	1122284	10/08/2023 through 10/14/2023	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 235 NTU.
15	1121285	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for April 2022 - Not Submitted. Doc ID: 2528323
16	1121286	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for May 2022 - Not Submitted. Doc ID: 2528324
17	1121287	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for June 2022 - Not Submitted. Doc ID: 2528325
18	1121288	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for July 2022 - Not Submitted. Doc ID: 2528326
19	1121289	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for August 2022 - Not Submitted. Doc ID: 2528327
20	1121290	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for September 2022 - Not Submitted. Doc ID: 2528328

Notice of Violation R9-2023-0222**Exhibit 1**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
21	1122278	10/29/2023 through 10/31/2023	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 327 mg/L.
22	1122279	10/29/2023 through 10/31/2023	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 134 mg/L.

Table 2 - Definitions

TERM	DEFINITION
CAT1	Category 1 violation type. This violation type is identified when the water quality effluent parameter is part of the Group I pollutant.
CAT2	Category 2 violation type. This violation type is identified when the water quality effluent parameter is part of the Group II pollutant.
CIWQS	California Integrated Water Quality System database.
GROUP	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
Occurrence Date(s)	Date that a violation occurred. For continuing violations, such as a monthly average, the days of the reporting period are used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
Violation Description	Narrative description of the violation.
Violation ID	Identification number assigned to a violation in CIWQS.



San Diego Regional Water Quality Control Board

January 18, 2023

Dr. Maria-Elena Giner, P.E.
Commissioner
International Boundary and Water
Commission, United States Section
4191 N. Mesa
El Paso, Texas 79902
mariaelena.giner@ibwc.gov

Sent by Email Only

In reply refer to:
257821:VRodriguez

**Subject: Notice of Violation No. R9-2024-0026 to the United States
International Boundary and Water Commission for Violations of
Order No. R9-2021-0001**

Dr. Maria-Elena Giner:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Notice of Violation (NOV) No. R9-2024-0026 to the United States International Boundary and Water Commission (USIBWC or Discharger) for alleged violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order). These alleged violations are a result of the Discharger's failure to comply with the Order.

1. Background

The Discharger is required to operate and maintain the South Bay International Wastewater Treatment Plant (SBIWTP) in compliance with requirements contained in the Order. Consistent with the Order, the Discharger is required to submit self-monitoring reports and other technical reports. Between November 1, 2023, and November 30, 2023, the Discharger self-reported 11 effluent limitation exceedances. In addition, the Discharger has not submitted six self-monitoring reports with appropriate units and values consistent with the Order, as directed by the State Water Resources Control Board (State Water Board). The missing reports are for the months of April 2022 through September 2022.

2. Summary of Alleged Violations of the Order

The Discharger is alleged to have violated the following sections of the Order:

2.1. Section 4 of the Order: The Discharger is required to maintain compliance with effluent limitations in section 4.1.1.1 of the Order.

Observation: The Discharger self-reported 11¹ exceedances of effluent limitations in the California Integrated Water Quality System (CIWQS) database.

- 2.2. Attachment D, Section 1.1 of the Order:** The Discharger is required to comply with all terms, requirements, and conditions of the Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (Water Code) and is grounds for enforcement action including permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof.

Observation: The Discharger had 17 violations of the Order.

- 2.3. Attachment E, Section 7.2 of the Order:** The Discharger is required to submit self-monitoring reports to CIWQS consistent with the Order.

Observation: The Discharger submitted six self-monitoring reports for the months of April 2022 through September 2022 (CIWQS Document IDs 2528323, 2528324, 2528325, 2528326, 2528327, and 2528328). The State Water Board identified that the values for arsenic, cadmium, cyanide, copper, lead, molybdenum, nickel, selenium, silver, thallium, and zinc were submitted with incorrect units and calculated values.

On December 1, 2022, the State Water Board withdrew the submitted reports and directed the Discharger to re-submit the self-monitoring reports with the corrected units and values.

The Discharger has not submitted self-monitoring reports to CIWQS with appropriate units and values consistent with the Order.

3. Potential Enforcement Actions

The alleged violations may subject the Discharger to additional enforcement by the San Diego Water Board or the State Water Board. The San Diego Water Board intends and desires to continue to engage proactively and constructively with the Discharger through judicious and progressive enforcement efforts.

For questions or concerns regarding this NOV, please contact Vicente Rodriguez by phone at 619-521-3966 or by email at Vicente.Rodriguez@waterboards.ca.gov. In the subject line of any written response, please include the following: 257821:VRodriguez.

Respectfully,

Brandi Outwin-Beals
Senior Water Resource Control Engineer
Source Control Regulation Unit

¹ Exhibit 1, List of Violations

Attachment: Exhibit 1, List of Violations

Copies to:

Morgan Rogers, Area Operations Manager, International Boundary and Water Commission, U.S. Section, morgan.roger@ibwc.gov

Isela Canava, International Boundary and Water Commission, U.S. Section, isela.canava@ibwc.gov

Rebecca Rizzuti, International Boundary and Water Commission, U.S. Section, rebecca.rizzuti@ibwc.gov

David Gibson, San Diego Water Board, david.gibson@waterboards.ca.gov

Kelly Dorsey, San Diego Water Board, kelly.dorsey.gibson@waterboards.ca.gov

Laurie A. Walsh, San Diego Water Board, laurie.walsh@waterboards.ca.gov

Brandi Outwin-Beals, San Diego Water Board, brandi.outwin-beals@waterboards.ca.gov

Vicente Rodriguez, San Diego Water Board, vicente.rodriquez@waterboards.ca.gov

Tech Staff Info & Use	
Technical Information	Number
Order No.	R9-2021-0001
NPDES No.	CA0108928
CW Place ID (South Bay International WTP)	CW-257821
CW Party/Organization ID (IBWC-US & Mexico Section)	21523
CW Party/Person ID (Dr. Maria-Elena Giner)	634777
CW Regulatory Measure (Order No. R9-2021-0001)	442331
CW Regulatory Measure (NOV R9-2024-0026)	455560
WDID	9 000000732
Violation IDs	1122951, 1122952, 1122953, 1122954, 1122956, 1122957, 1122959, 1122950, 1122955, 1122958, 1122960, 1121285, 1121286, 1121287, 1121288, 1121289, 1121290

Notice of Violation R9-2024-0026**Exhibit 1****Table 1 – List of Violations**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
1	1122951	11/01/2023 through 11/30/2023	OEV	Flowrate exceeded the monthly average effluent limitation of 25 million gallons per day (MGD) with a result of 26.22 MGD.
2	1122952	11/01/2023 through 11/30/2023	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 74%.
3	1122953	11/01/2023 through 11/30/2023	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 69 mg/L.
4	1122954	11/01/2023 through 11/30/2023	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 15,900 lb/day.
5	1122956	11/01/2023 through 11/30/2023	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 53%.
6	1122957	11/01/2023 through 11/30/2023	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 168 mg/L.
7	1122959	11/01/2023 through 11/30/2023	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 39,390 lb/day.
8	1122950	11/12/2023 through 11/18/2023	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 26,180 lb/day.
9	1122955	11/12/2023 through 11/18/2023	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 110 mg/L.
10	1122958	11/12/2023 through 11/18/2023	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 69,648 lb/day.

Notice of Violation R9-2024-0026**Exhibit 1**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
11	1122960	11/12/2023 through 11/18/2023	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 292 mg/L.
12	1121285	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for April 2022 - Not Submitted. Doc ID: 2528323
13	1121286	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for May 2022 - Not Submitted. Doc ID: 2528324
14	1121287	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for June 2022 - Not Submitted. Doc ID: 2528325
15	1121288	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for July 2022 - Not Submitted. Doc ID: 2528326
16	1121289	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for August 2022 - Not Submitted. Doc ID: 2528327
17	1121290	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for September 2022 - Not Submitted. Doc ID: 2528328

Table 2 - Definitions

TERM	DEFINITION
CAT1	Category 1 violation type. This violation type is identified when the water quality effluent parameter is part of the Group I pollutant.
CAT2	Category 2 violation type. This violation type is identified when the water quality effluent parameter is part of the Group II pollutant.
CIWQS	California Integrated Water Quality System database.
GROUP	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
Occurrence Date(s)	Date that a violation occurred. For continuing violations, such as a monthly average, the days of the reporting period are used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
Violation Description	Narrative description of the violation.
Violation ID	Identification number assigned to a violation in CIWQS.

Enforcement Actions for October, November, and December 2023

NPDES WASTEWATER

Enforcement Date	Enforcement Action	Entity/ Facility/Location	Summary of Violations and Enforcement	Applicable Permit/Order Violated
10/12/2023	Administrative Civil Liability Order No. R9-2023-0178	Encina Wastewater Authority, Encina Ocean Outfall discharge to the Pacific Ocean, Carlsbad	Settlement Agreement and Stipulated Order to the Encina Wastewater Authority for Mandatory Minimum Penalties totaling \$3,000.	National Pollutant Discharge Elimination System (NPDES) Order No. R9-2018-0059

WASTE DISCHARGE REQUIREMENTS

Enforcement Date	Enforcement Action	Entity/ Facility/Location	Summary of Violations and Enforcement	Applicable Permit/Order Violated
11/8/2023	Cease and Desist and Time Schedule Order No. R9-2023-0129	Demler Brothers LLC, Pine Hills Egg Ranch and Pullet Farm, Ramona	Unauthorized discharges and failure to obtain regulatory coverage.	California Water Code sections 13260, 13267, and 13300-13304
10/19/2023	Notice of Violation No. R9-2023-0188	Advanced Group 99-SJ LLC and Orange County Waste and Recycling, Forster Canyon Landfill, Orange County	Inadequate best management practices (BMPs) to cover exposed wastes, operate the dewatering system, and address post closure maintenance specifications.	Waste Discharge Requirements (WDR) Order No. 2016-0149
10/27/23	Staff Enforcement Letter	Plant Source Inc., San Marcos CA	Unauthorized discharges and inadequate BMPs.	General WDR Order No. 2016-0004 for Agricultural Operations

Enforcement Actions for October, November, and December 2023

SITE CLEANUP PROGRAM

Enforcement Date	Enforcement Action	Entity/ Facility/Location	Summary of Violations and Enforcement	Applicable Permit/Order Violated
11/30/2023	Investigative Order No. R9-2023-0218	NBM Kachi LLC, El Cajon	An investigative order directing NBM Kachi LLC to submit technical and monitoring reports related to discharges of laundry and dry cleaning wastes in El Cajon.	California Water Code sections 13267 and 13304

CANNABIS

Enforcement Date	Enforcement Action	Entity/ Facility/Location	Summary of Violations and Enforcement	Applicable Permit/Order Violated
12/1/2023	Notice of Violation	Kampphan Changthong Property, Aguanga	Unauthorized discharges related to cannabis cultivation.	California Water Code sections 13260 and 13264

Table 1: October and November 2023 – Summary of Public and Federal Sanitary Sewer Overflow Events¹

Responsible Collection System Agency	Total Volume (Gallons)²	Total Recovered (Gallons)³	Total Reaching Surface Waters (Gallons)⁴	Total Reaching Separate Storm Drain and Recovered (Gallons)⁵	Total Discharged to Land (Gallons)⁶	Surface Water Body Affected⁷	Miles of Pressure Sewer	Miles of Gravity Sewer	Population in Service Area⁸
City of National City	260	150	110	150	0	Not Reported	1.0	105.00	58,967
City of San Diego	114	35	0	0	0	Not Applicable	112.2	2944.92	2,380,000
City of San Diego	142	142	0	0	0	Not Applicable	112.2	2944.92	2,380,000
City of San Diego	205	205	0	205	0	Not Applicable	112.2	2944.92	2,380,000
City of Escondido	2,600	400	2,000	400	0	Escondido Creek	8	376	148,000

¹ Table 1 may not include information on public SSOs that were less than 50 gallons in volume and that did not reach surface waters.

² Total Volume = total amount that discharged from sanitary sewer system to a separate storm drain, drainage channel, surface water body, and/or land.

³ Total Recovered = total amount recovered from a separate storm drain, drainage channel, surface water body, and/or land.

⁴ Total Reaching Surface Waters = total amount reaching separate storm drain (not recovered), drainage channel, and/or surface water body, but does not include amount reaching separate storm drain that was recovered.

⁵ Total Reaching Separate Storm Drain and Recovered = total amount reaching separate storm drain that was recovered.

⁶ Total Discharged to Land = total amount reaching land.

⁷ Agencies are only required to note the surface water body affected if the discharge reaches or has the potential to reach a surface water. If the discharge did not reach a surface water and does not have a potential to reach a surface water (i.e., a discharge to land or a discharge to a separate storm drain that is fully recovered) the surface water body affected is listed as “Not Applicable.” If the discharge was to a surface water body or to a separate storm drain and was not fully recovered, and the surface water body was not reported, the surface water body affected is listed as “Not Reported.”

⁸ As reported in the Collection System Questionnaire required under Order No. 2006-0003-DWQ.

Responsible Collection System Agency	Total Volume (Gallons)²	Total Recovered (Gallons)³	Total Reaching Surface Waters (Gallons)⁴	Total Reaching Separate Storm Drain and Recovered (Gallons)⁵	Total Discharged to Land (Gallons)⁶	Surface Water Body Affected⁷	Miles of Pressure Sewer	Miles of Gravity Sewer	Population in Service Area⁸
City of La Mesa	13	0	0	0	0	Not Applicable	0	155	58,244
City of Laguna Beach	152,705	73,895	78,810	73,895	0	Pacific Ocean	9	92	18,000
City of Lemon Grove	90	0	0	0	90	Not Applicable	0	68	25,800
City of San Diego	3,240	2,400	628	2,400	0	Not Reported	112	2,945	2,380,000
City of San Diego	410	390	0	390	0	Not Applicable	112	2,945	2,380,000
City of San Diego	1,575	1,150	0	1,150	0	Not Applicable	112	2,945	2,380,000
City of San Diego	810	770	0	770	0	Not Applicable	112	2,945	2,380,000
Leucadia Wastewater District	128	0	128	0	0	Not Reported	17	205	62,607

Table 2: October and November 2023 – Summary of Private Lateral Sewage Discharge Events

Responsible Collection System Agency	Total Volume (Gallons)¹	Total Recovered (Gallons)²	Total Reaching Surface Waters (Gallons)³	Total Reaching Separate Storm Drain & Recovered and/or Discharged to Land (Gallons)⁴	Surface Water Body Affected⁵	Population in Service Area⁶	Number of Lateral Connections
City of San Diego	424	264	160	264	Not Reported	2,380,000	267,188
City of Vista	10	10	0	10	Not Applicable	90,000	17,109
City of Vista	108	108	0	0	Not Applicable	90,000	17,109
Santa Margarita Water District	30	30	0	0	Not Applicable	170,000	52,857
City of San Diego	650	550	100	550	Not Reported	2,380,000	267,188

¹ Total Volume = total amount that discharged from private lateral to a separate storm drain, drainage channel, surface water body, and/or land.

² Total Recovered = total amount recovered from a separate storm drain, drainage channel, surface water body, and/or land.

³ Total Reaching Surface Waters = total amount reaching separate storm drain (not recovered), drainage channel, and/or surface water body, but does not include amount reaching separate storm drain that was recovered.

⁴ Total Reaching Separate Storm Drain & Recovered and/or Discharged to Land = total amount reaching separate storm drain that was recovered and/or total amount reaching land.

⁵ Agencies are only required to note the surface water body affected if the discharge reaches or has the potential to reach a surface water. If the discharge did not reach a surface water and does not have a potential to reach surface water (i.e., a discharge to land or a discharge to a separate storm drain that is fully recovered) the surface water body affected is listed as “Not Applicable.” If the discharge was to a surface water body or to a separate storm drain and was not fully recovered, and the surface water body was not reported, the surface water body affected is listed as “Not Reported.”

⁶ As reported in the Collection System Questionnaire required under Order No. 2006-0003-DWQ.

Responsible Collection System Agency	Total Volume (Gallons) ¹	Total Recovered (Gallons) ²	Total Reaching Surface Waters (Gallons) ³	Total Reaching Separate Storm Drain & Recovered and/or Discharged to Land (Gallons) ⁴	Surface Water Body Affected ⁵	Population in Service Area ⁶	Number of Lateral Connections
City of San Diego	876	810	76	810	Not Reported	2,380,000	267,188

Table 3: October and November 2023 – Summary of Sewage Discharges by Source¹

Spill Type	Month/Year	Number of Spills	Total Volume (Gallons) ²	Total Recovered (Gallons) ³	Total Reaching Surface Waters (Gallons) ⁴	Total Reaching Separate Storm Drain & Recovered and/or Discharged to Land (Gallons) ⁵
Public Spills	October and November 2023	13	162,292	79,537	81,676	79,450
Federal Spills	October and November 2023	0	0	0	0	0
Private Spills	October and November 2023	6	2,098	1,772	336	1,634
All Spills	October and November 2023	20	164,390	81,309	82,012	81,084

¹ Information displayed may not include public SSOs that were less than 50 gallons in volume that did not reach surface waters.

² Total Volume = total amount that discharged from sanitary sewer system to a separate storm drain, drainage channel, surface water body, and/or land.

³ Total Recovered = total amount recovered from a separate storm drain, drainage channel, surface water body, and/or land.

⁴ Total Reaching Surface Waters = total amount reaching separate storm drain (not recovered), drainage channel, and/or surface water body, but does not include amount reaching separate storm drain that was recovered.

⁵ Total Reaching Separate Storm Drain & Recovered and/or Discharged to Land = total amount reaching separate storm drain that was recovered and/or total amount reaching land.

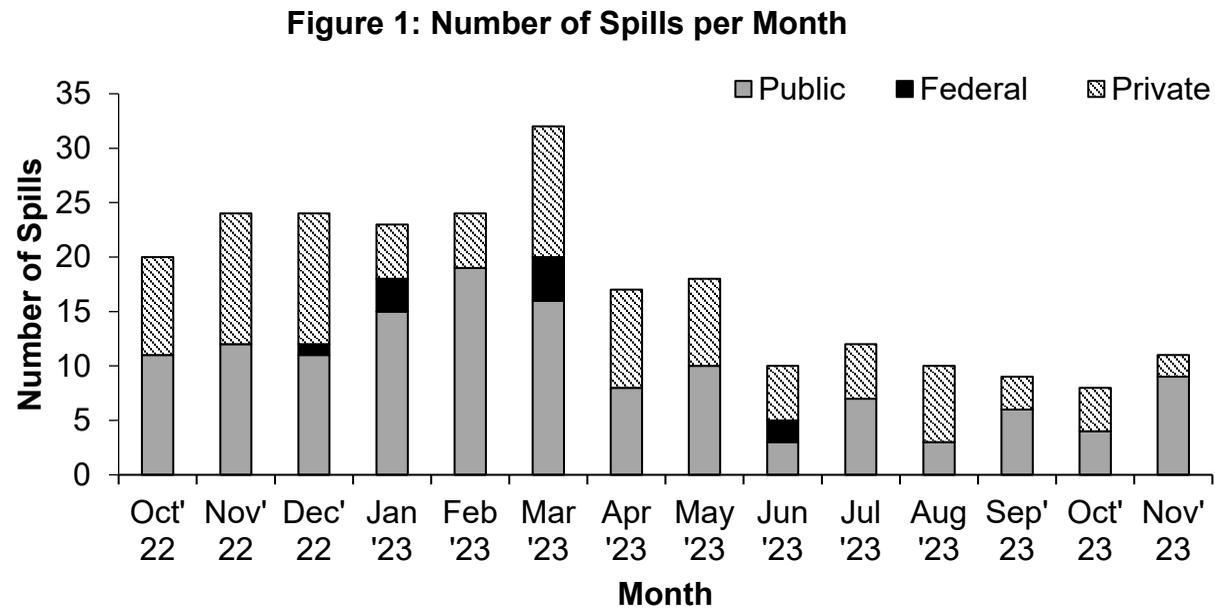


Figure 1: The number of public, federal, and private sewage spills per month from October 2022 through November 2023. Note total number of spills per month may not include public SSOs that were less than 50 gallons in volume that did not reach surface waters.

Figure 2: Volume of Public SSOs per Month

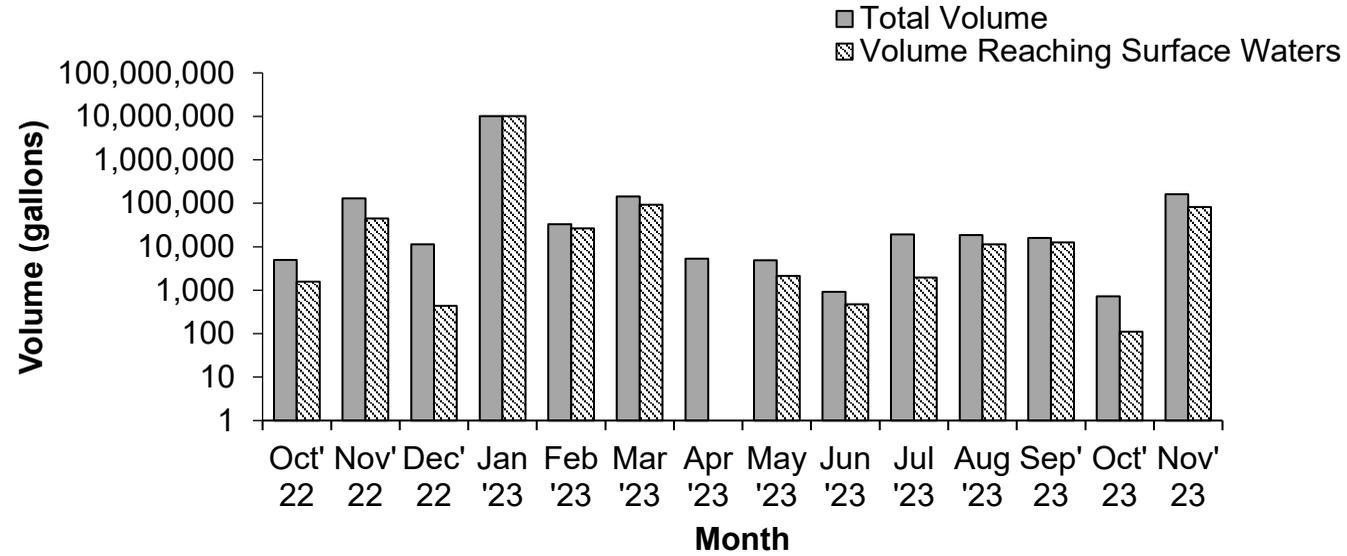


Figure 2: The volume of SSOs from public agencies per month from October 2022 through November 2023. Note, spill totals may not include public SSOs that were less than 50 gallons in volume that did not reach surface waters. Also, note the logarithmic scale on the vertical axis showing the wide variation in spill volumes.

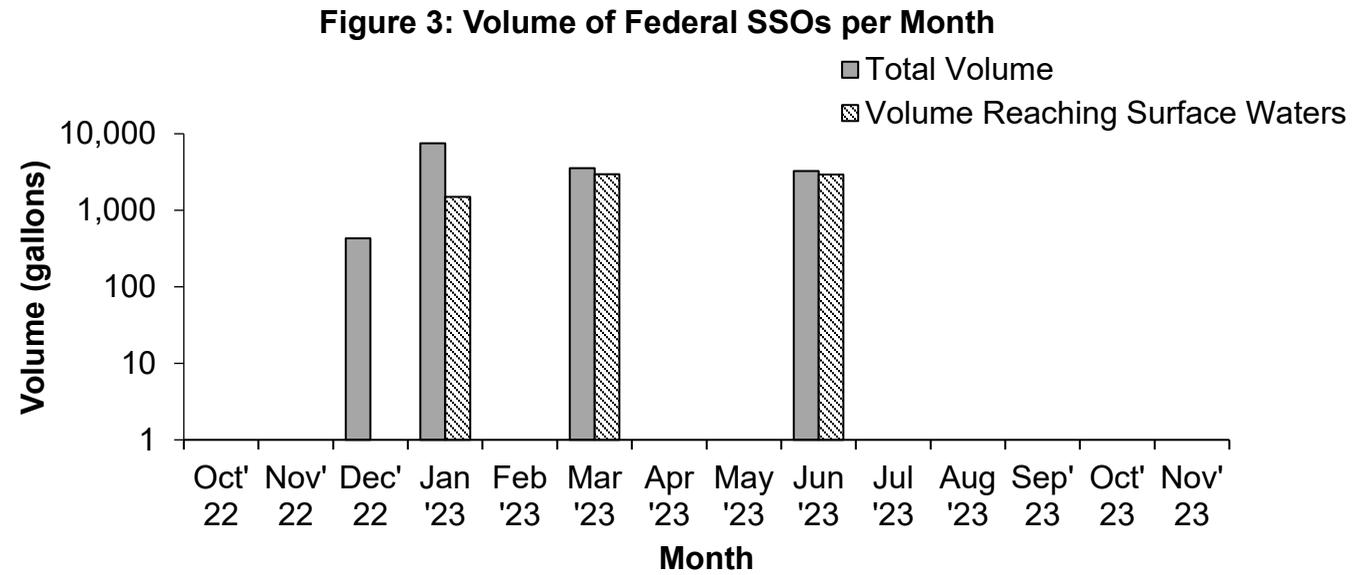


Figure 3: The volume of SSOs from federal agencies per month from October 2022 through November 2023. Note the logarithmic scale on the vertical axis showing the wide variation in spill volumes.

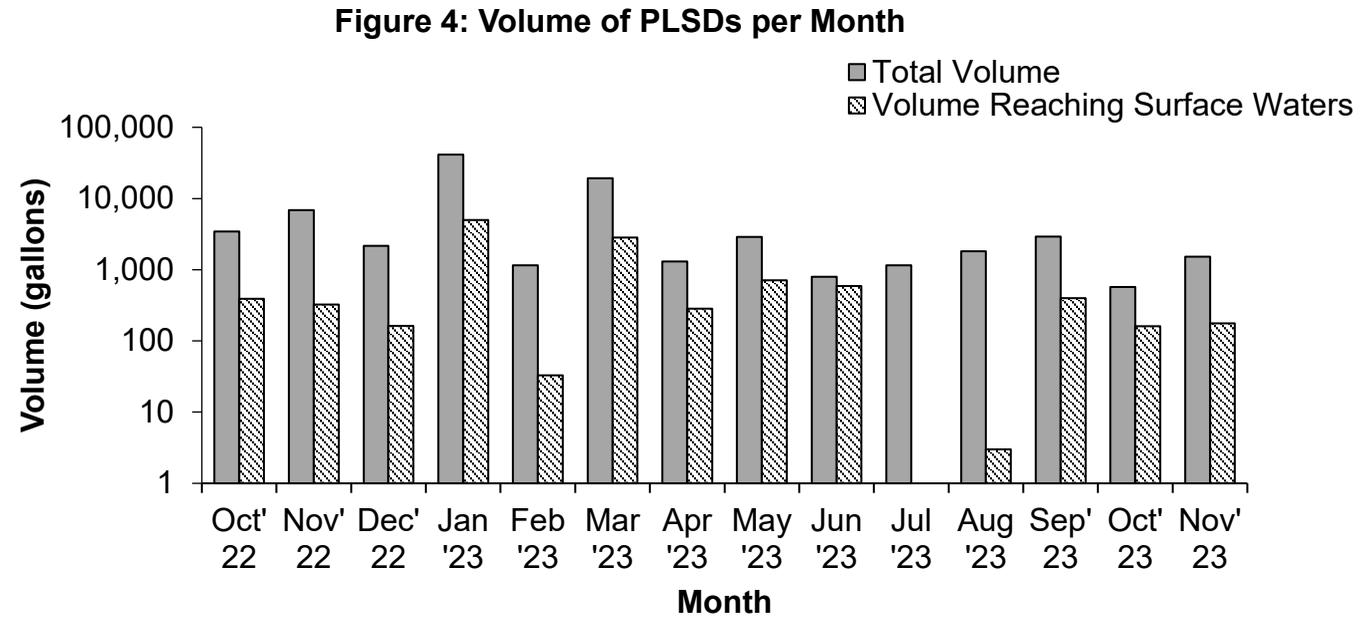


Figure 4: The volume of PLSDs per month from October 2022 through November 2023. Note the logarithmic scale on the vertical axis showing the wide variation in spill volumes.

Table 1: October and November 2023 – Summary of Transboundary Flows from Mexico by Event¹

Location	Transboundary Flow Start Date	Transboundary Flow End Date	Weather Condition²	Total Volume (Gallons)³	Total Volume Recovered (Gallons)³	Total Volume Reaching Surface Waters (Gallons)³	Additional Details Reported By USIBWC
Tijuana River Main Channel	10/11/2023	11/30/2023 (Ongoing)	Wet	1+ (billion gallons)	0	1+ (billion gallons)	Wet and dry weather flows from numerous sources in Mexico.
Goat Canyon	10/16/2023	10/16/2023	Dry	185,000	0	185,000	Planned Hollister pump station shutdown for new pump installation.
Goat Canyon	11/28/2023	11/28/2023	Dry	1,204,500	0	1,204,500	Planned Hollister pump station shutdown for new pump installation.

¹ Transboundary flow volumes are obtained from self-monitoring reports submitted by USIBWC pursuant to Order No. R9-2021-0001.

² Order No. R9-2021-0001 defines wet weather as the period of time when a storm event produces 0.1 inches or greater within a 24-hour period plus 72 hours after, based on the Goat Canyon Pump Station rain gauge. USIBWC reported that there was precipitation of 0.95 inches as recorded at Marron Valley for the months of October and November 2023. The rain gauges at Goats Canyon and Smugglers Gulch were not operable and are scheduled for maintenance and repair.

³ Total transboundary flow volume, total volume recovered, and total volume reaching surface waters is an estimate provided by USIBWC.

Table 2: October and November 2023 - Summary of Transboundary Flows from Mexico¹

Location	Month/Year	Number of Transboundary Flows	Total Volume (Gallons)	Total Volume Recovered (Gallons)	Total Volume Reaching Surface Waters (Gallons)
Tijuana River Main Channel	October 2023 and November 2023	1	1+ (billion gallons)	0	1+ (billion gallons)
Canyon Collectors	October 2023 and November 2023	2	1,389,500	0	1,389,500
South Bay International Wastewater Treatment Plant	October 2023 and November 2023	0	0	0	0
All Locations	October 2023 and November 2023	3	1+ (billion gallons)	0	1+ (billion gallons)

¹ For transboundary flows that start and end in different months, Table 2 includes the transboundary flow in the month the transboundary flow started.

Figure 1: Number of Transboundary Flows

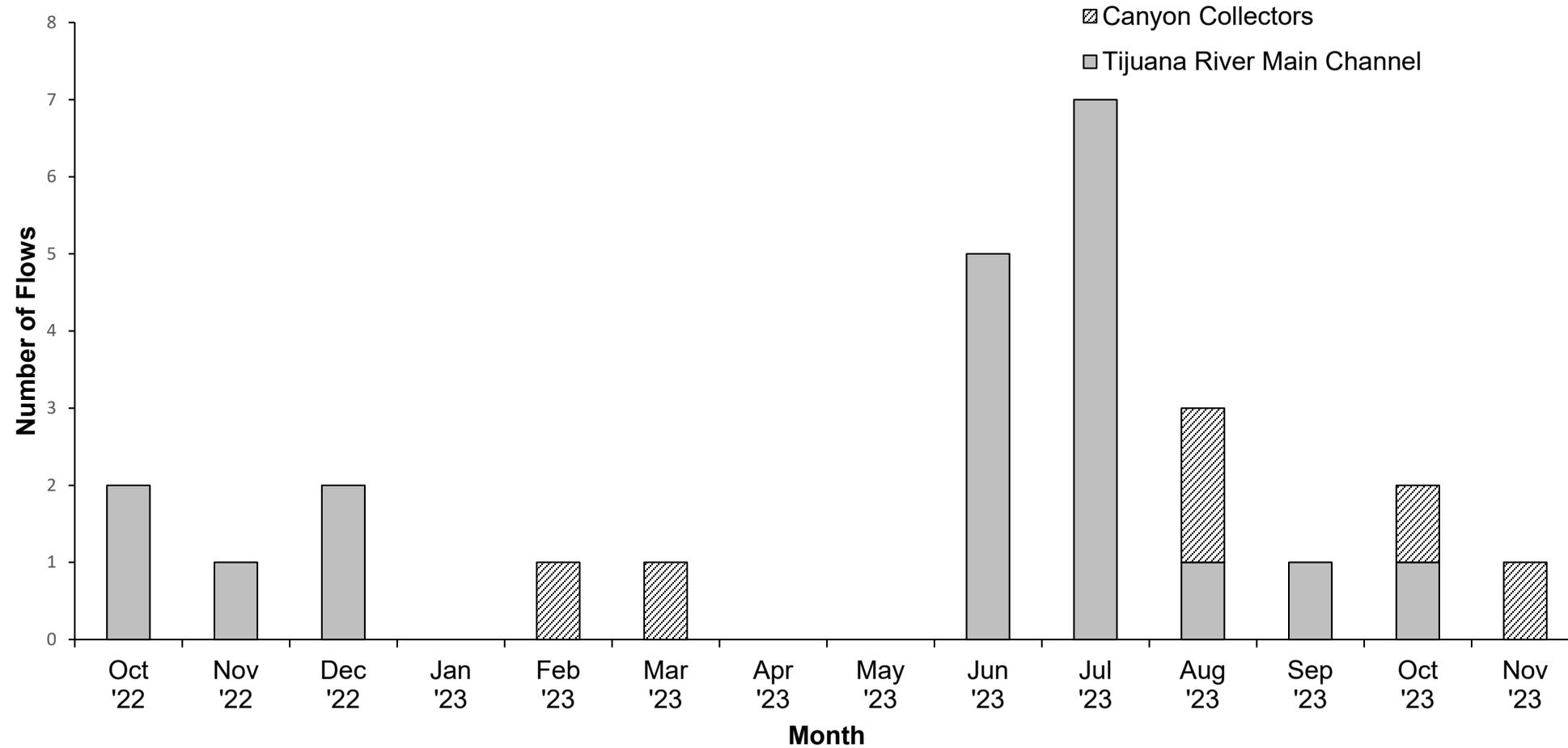


Figure 1: Number of reported transboundary flows per month from October 2022 through November 2023 at the canyon collector systems and the Tijuana River main channel. For transboundary flows that start and end in different months, the figure includes the transboundary flow in month the transboundary flow started. For example, flows in November 2023 that started in October 2023 are only shown in October 2023.

Figure 2: Tijuana River Transboundary Flow Volume

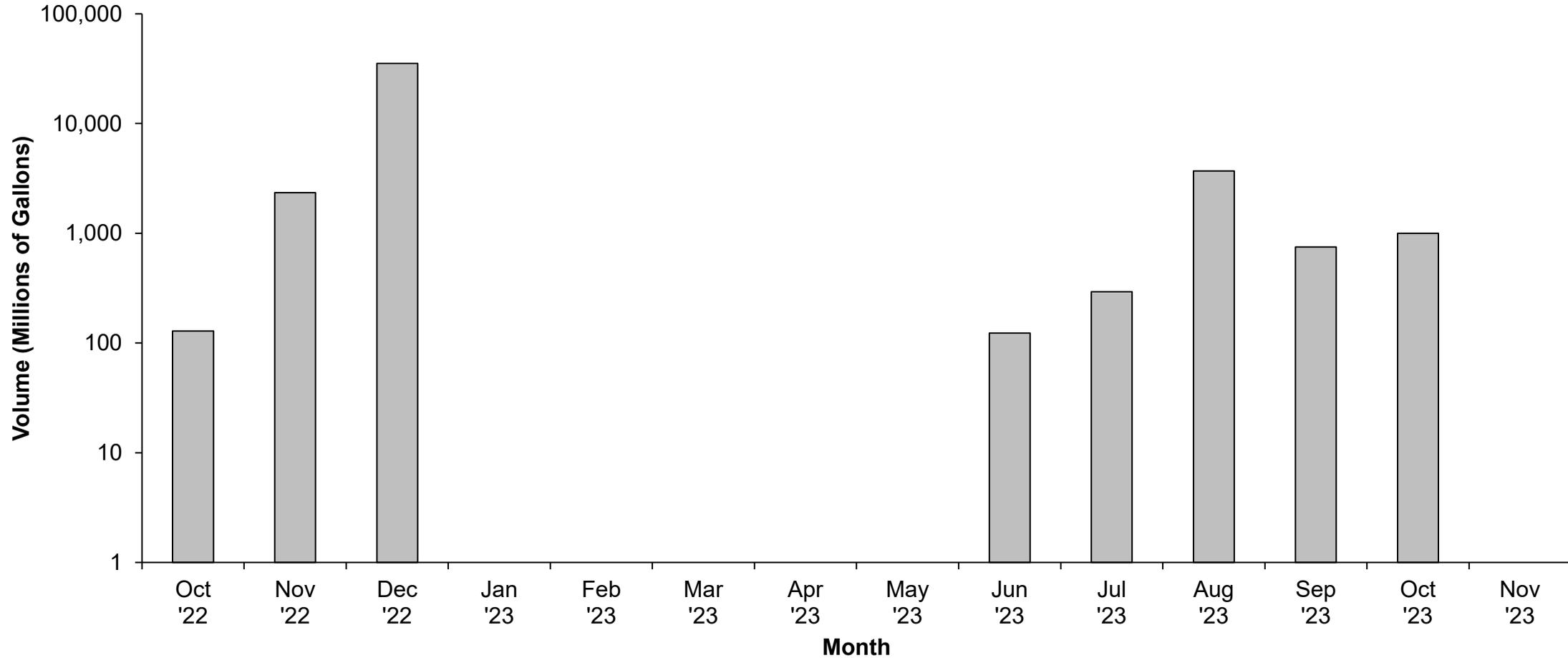


Figure 2: Volume of reported transboundary flows per month from October 2022 through November 2023 at the Tijuana River main channel. For transboundary flows that start and end in different months, the figure includes the total volume of the transboundary flow in the month the transboundary flow started. For example, flows in November 2023 that started in October 2023 are only shown in October 2023. Note the logarithmic scale on the vertical axis to accommodate the variation in transboundary flow volumes.

Figure 3: Canyon Collector Transboundary Flow Volume

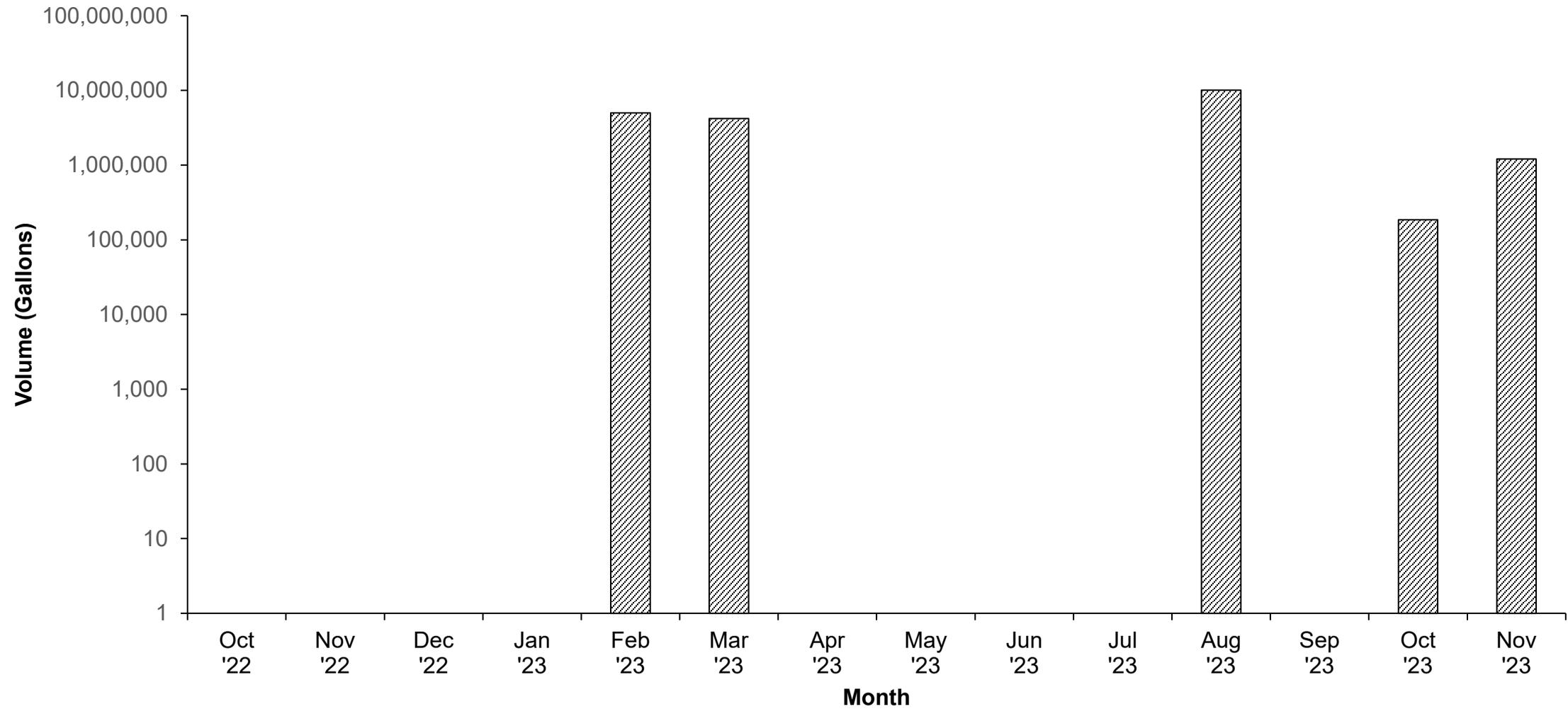


Figure 3: Volume of reported transboundary flows per month from October 2022 through November 2023 at the canyon collector systems. Note the logarithmic scale on the vertical axis to accommodate variation in transboundary flow volumes.

Dear Ms. Clemente,

Thank you for the opportunity to comment on the San Diego Water Board's Regional Enforcement Priorities for 2024. I am concerned that current Water Resources Control Board policy does not adequately prioritize enforcement action of Sanitary Sewer Overflows (SSOs) affecting no-take Marine Protected Areas (MPAs).

Existing Water Resources Control Board policy directs staff to prioritize enforcement of SSOs that impact areas of special importance to fish and shellfish consumption, recreation, and habitats and ecosystems. California's MPA Network is designed to enhance each of these beneficial uses and therefore receives priority under current policy. However, there is a need to introduce a more nuanced hierarchy to effectively allocate limited enforcement resources.

California's MPA Network, with its varying degrees of protection, places paramount importance on no-take MPAs. The California Fish and Game Code underscores this significance by specifying that no-take MPAs "shall be maintained to the extent practicable in an undisturbed and unpolluted state."¹ Being that this language is unique to no-take MPAs, it is clear that the California Legislature intended to confer the highest level of protection to no-take MPAs, elevating their protection status compared to limited-take MPAs and other Areas of Special Biological Significance (ASBS).

Research indicates that no-take MPAs are instrumental in restoring depleted species populations, serving as vital fish nurseries and contributing significantly to regional fisheries, including the valuable California Spiny Lobster fishery.² In contrast, other ASBS and some limited-take MPAs lack comparable protections and contribute less to sustaining a resilient coastal environment and economy. Therefore, it is reasonable to adjust enforcement priorities accordingly.

I strongly urge the Water Resources Control Board to amend its enforcement policy by implementing the following tiered enforcement prioritization policy for SSOs that impact coastal waters:

- 1) No-take MPAs: highest priority for enforcement
- 2) Limited-take MPAs and ASBS: medium priority for enforcement
- 3) All other coastal waters: lower priority for enforcement

This tiered approach ensures that enforcement efforts are strategically aligned with the level of protection afforded to each area, thereby maximizing their effectiveness and enhancing the allocation of limited resources. Prioritizing enforcement in no-take MPAs ensures that crucial habitats will be safeguarded, contributing to the overall health of California's coastal ecosystems and economy.

Thank you for considering this proposal, and I look forward to witnessing the positive impact of an enhanced enforcement prioritization policy on our coastal waters.

Respectfully,



Eric Praske
Laguna Beach

¹ FGC § 2852(d)

² MPA Decadal Management Review – 2022. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=209209&inline>