

Ryan, Erica@Waterboards

From: Ryan, Erica@Waterboards
Sent: Thursday, January 07, 2016 3:56 PM
To: 'Diaz, Richard'; Walsh, Laurie@Waterboards; Becker, Eric@Waterboards; Outwin-Beals, Brandi@Waterboards
Cc: Snyder, Todd; Weber, Jo Ann; Agahi, Sara; Watt, Michael; 'J Parez'
Subject: RE: Complaint Received - Linden Road - Winter Gardens (Lakeside Community Planning Area)
Attachments: RE: Complaint Received - Linden Road - Winter Gardens (Lakeside Community Planning Area) ; 2015_1230LindenRoad.pdf

Mr. Diaz,

On September 18, 2015, the San Diego Water Board received a citizen complaint of alleged sediment laden storm water discharges into the County's MS4 system in the community of Winter Gardens on Linden Road in the drainage area located between Pueblo Road and Royal, east of Winter Gardens Boulevard (Drainage Area). The Drainage Area is located in the Lower San Diego River (HA 907.1) in the San Diego River Watershed Management Area (WMA).

The Highest Priority Water Quality Condition for the WMA is bacteria. In addition, Priority Water Quality Conditions in the WMA include nitrogen and phosphorus, total dissolved solids, eutrophic condition, and index of biological integrity. The Lower San Diego River is located in the Beaches and Creeks Bacteria TMDL and is on the 303(d) list for impairments of bacteria, low dissolved oxygen, nutrients, manganese, toxicity and total dissolved solids.

On November 4, 2015, the San Diego Water Board requested additional information from the County regarding the MS4 Drainage Area in response to the complaint. The County provided the requested information (see attached e-mail) on December 1, 2015. The County's response indicated that the alleged sediment laden discharge from the Drainage Area did not discharge to the County's MS4 .

On December 27, 2015, additional information following a recent rain event was received by the San Diego Water Board from the citizen complainant indicating a recurrent condition of alleged sediment laden storm water discharges into the County's MS4 system. The recurring discharges are reportedly coming from erosion of earth slopes and construction sites upstream of Linden Road on Pueblo Road and entering into a failing County MS4 system within the residential area of Linden Road.

According to the complainant, the County has been aware of these alleged discharges for some time. The San Diego Water Board is also aware that a portion of the Linden Road drainage system is also regulated under the Army Corps of Engineers Regional General Permit 53 for channel maintenance and an associated SWRCB 401 permit which were issued in November 2010.

Based on the information provided by the County and the citizen complaint, on December 30, 2015 and January 7, 2016,, I conducted site inspections of the County MS4 system in the Drainage Area. The purpose of the inspection was to determine if sediment laden discharges from the Drainage Area were entering the County's MS4 system.

The results of the inspection are attached. In conclusion, the site inspection reveals that the County MS4 does in fact accept the sediment laden stormwater discharges from Linden Road, Short Street, and the Drainage Area via a large concrete drop inlet located at the southern end of Linden Road and an open concrete drainage channel located within the Westward Ho Manor Mobile Home Park. The mobile home park drainage channel discharges the sediment laden stormwater from the Drainage Area via Linden Road directly to the County MS4 system on Royal Street and Pepper Street.

The site inspection also identified the following concerns:

- Lack of erosion and sediment controls on existing slopes adjacent to roadways and unpaved roads throughout the Drainage Area; and
- Sewer lines and manholes in the County Winter Gardens Maintenance District (WDID 9SSO10662) located in areas of high flow and highly eroded easements utilized by regular traffic prior to discharge to Royal Street and Pepper Street.

These conditions can lead to sewer line deterioration and sewage infiltration resulting in bacteria entering the County's MS4 along with the recurring sediment loads in the County MS4. As the owner and operator of the MS4 and a Copermittee under the requirements of the Regional MS4 Permit, the City is required to comply with permit conditions to effectively prohibit non-storm water discharges into its MS4 and implement controls to reduce the discharge of pollutants in storm water to the Maximum Extent Practicable (MEP).

As an operator of the MS4, the County cannot passively receive illicit discharges of pollutants by third parties into its MS4. By providing free and open access to an MS4 that conveys discharges to waters of the U.S., the County essentially accepts responsibility for discharges into the MS4 that it does not prohibit or otherwise control. Waste and pollutants which are deposited and accumulate in MS4 drainage structures will be discharged from these structures to waters of the U.S. unless they are removed or controlled prior to entering the MS4.

Therefore, the County is in violation of provision A.1.a for failing to control discharges causing or threatening to cause, a condition of pollution, contamination, or nuisance in receiving waters from its MS4 to the MEP, and provision E.2 for failing to actively detect and eliminate illicit discharges and improper disposal of sediment into its MS4.

The San Diego Water Board expects the County to address these violations by taking the necessary actions to comply with the requirements of Order R9-2013-0001, as amended and submitting a summary of the resolution of these violations in the County's Annual Report required pursuant to provision F.3.b.(3)(e). These violations will be recorded and considered during future review of the County's municipal storm water program.

Erica Ryan, CPSWQ
QSD/QSP/CISEC/ToR CGP
QISP/ToR IGP
Water Resource Control Engineer
Storm Water Management
San Diego Water Board

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 CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD
www.waterboards.ca.gov/sandiego/

From: Diaz, Richard [mailto:Richard.Diaz@sdcounty.ca.gov]
Sent: Tuesday, December 01, 2015 3:21 PM
To: Ryan, Erica@Waterboards
Cc: Snyder, Todd; Weber, Jo Ann; Agahi, Sara; Watt, Michael
Subject: RE: Complaint Received - Linden Road - Winter Gardens (Lakeside Community Planning Area)

Linden Road, Lakeside

Erica,

On November 5, 2015, our inspectors went out to Linden Road to assess the impacts to the MS4 and to address the three concerns you had.

Sediment source: Staff was not able to identify any major point sources or land disturbance activities contributing sediment into the culvert at Winter Gardens Drive, which outlets onto the shoulder of Linden Road. There is an unlined flood control ditch, about 2 -3 ft. wide and 35 ft. long, at the outlet of the County's culvert which is cleaned routinely by County Flood Control maintenance crews under the RGP53 program.

Maintenance: The County maintains Winter Gardens Drive and the portion of Linden Rd. from Winter Gardens Blvd. to Winter Gardens Drive; the rest of Linden Road is maintained by the property owners. For the County to accept the private portion of Linden Rd. into its system, several conditions must be met first. This has been an on-going issue in which the owners want the County to accept and maintain the road without meeting the conditions for acceptance.

Flow: Winter Gardens Drive has a considerable slope on the western portion that drains Winter Gardens Blvd., and the northeast portion of Winter Gardens Drive has a considerable slope that drains to the storm drain grate in the bend of the road. Linden Road is not a County-maintained road and has an asphalt overlay but numerous potholes and areas where there is no more asphalt and now only dirt. It appears that storm water that outlets onto Linden Road settles out on private property and does not enter a County Maintained MS4.

The map below shows the flow from Winter Gardens Blvd. (to the left) down the first segment of Linden Rd. where a culvert drains into the Flood Control ditch. The surface flow continues down the private (not accepted into the County system) road. Sediment does not enter the MS4. The purple line shows where the private segment of Linden Road begins and starts to deteriorate due to lack of maintenance by the responsible property owners.



No further action is needed by the County except for routine maintenance of its facilities.

Thank you,

R. Díaz

Richard Díaz
Program Coordinator
Watershed Protection Program
Dept. of Public Works—Land Development
County of San Diego
5510 Overland Avenue, Suite 410 MS-O-332
858-495-5298 (office)
619-988-9748 (cell)

From: Gaines, Stephanie
Sent: Wednesday, November 04, 2015 12:49 PM
To: Watt, Michael; Diaz, Richard
Cc: Snyder, Todd; Weber, Jo Ann; Agahi, Sara
Subject: Fwd: Complaint Received - Linden Road - Winter Gardens (Lakeside Community Planning Area)

FYI

Sent from my iPhone

Begin forwarded message:

From: "Ryan, Erica@Waterboards" <Erica.Ryan@Waterboards.ca.gov>
Date: November 4, 2015 at 12:47:44 PM PST
To: "Gaines, Stephanie" <Stephanie.Gaines@sdcounty.ca.gov>
Subject: RE: Complaint Received - Linden Road - Winter Gardens (Lakeside Community Planning Area)

Thanks - my understanding is that Flood Control and Roads in Public Works are aware of the issue –
Regards

Erica Ryan, CPSWQ
QSD/QSP/CISEC/ToR CGP
QISP/ToR IGP
Water Resource Control Engineer
Storm Water Management
San Diego Water Board

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www.waterboards.ca.gov/sandiego/

From: Gaines, Stephanie [<mailto:Stephanie.Gaines@sdcounty.ca.gov>]
Sent: Wednesday, November 04, 2015 12:43 PM
To: Ryan, Erica@Waterboards
Cc: Weber, Jo Ann; Snyder, Todd; Watt, Michael
Subject: RE: Complaint Received - Linden Road - Winter Gardens (Lakeside Community Planning Area)

Hi Erica,

Thank you for providing the information, videos and photos. I've routed the complaint to the appropriate County staff to investigate the complaint further. We will follow up shortly.

Thank you,

Stephanie Gaines
Watershed Protection Program
858-694-3493 | 619-964-8337

From: Ryan, Erica@Waterboards [<mailto:Erica.Ryan@Waterboards.ca.gov>]
Sent: Wednesday, November 04, 2015 10:27 AM
To: Gaines, Stephanie
Subject: Complaint Received - Linden Road - Winter Gardens (Lakeside Community Planning Area)

Hi Stephanie – we received a complaint from a County resident (see attached location maps) regarding a recurring stormwater/sediment discharge on Linden Road into the County MS4 (see attached files provided from 3/2/15 rain event).

The rain event discharge appears to be coming from a county brow ditch on Linden Road during, according to the resident. Can you get back to me with the following information:

1. MS4 facilities that drain or accept the rain event discharges (i.e. flow path) ;
2. Upstream sediment/pollutant source(s);
3. Public or Private Maintenance of the storm drain system and road(s) and maintenance mechanism (Public Works, CFD etc.);

My contact information is below if you need to call me to discuss. Let me know if this also needs to be directed to other county contacts to get the information.

Thanks -

Erica Ryan, CPSWQ
QSD/QSP/CISEC/ToR CGP
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Water Resource Control Engineer
Storm Water Management
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