

Notice of Public Meeting

San Diego River Conservancy

A public meeting of the Governing Board of
The San Diego River Conservancy
will be held Thursday,

January 8, 2009
1:30 pm – 3:30 pm

Meeting Location

San Diego City Hall 202 "C" Street
Closed Session Committee Room, 12th Floor
San Diego, California 92101

Tele-Conference Location: 1416 Ninth Street
Resources Agency Conference Room 1305 Sacramento, CA 95814
(866) 673-2851 / Pass code 3486949

Contact: Michael Nelson
(619) 645-3183

Meeting Agenda

1. Roll Call
2. Approval of Minutes
3. **Public Comment**
Any person may address the Governing Board at this time regarding any matter within the Board's authority. Presentations will be limited to three minutes for individuals and five minutes for representatives of organizations. Submission of information in writing is encouraged.
4. **Chairperson's and Governing Board Members' Report**
5. **Executive Officer's Report**
The following topics may be included in the Executive Officers Report. The Board may take action regarding any of them:

Final Adoption / 2009 Meeting Schedule

Budget Letter: Interim Loans for General Obligation Bonds and Lease Revenue Bond Projects

Supplemental Environmental Project (SEP)

- San Diego Regional Water Quality Control Board- San Diego Water Authority
- Dept. of Toxic Substances Control – Kyocera
Case No. 37-2007-00074954-CU- MC-CTL

Project Updates

- Bike Path
- SDSU, SDRC, SDRPF / San Diego River Watershed Data Collection and Restoration Program

Contract & Procurements

- Department of Fish & Game Property

6. Deputy Attorney General Report
7. Update on City of San Diego River Park Master Plan.
Presentation:
Robin Shifflet, City of San Diego
8. El Monte Valley: Acquisition, Development and Restoration Plans (Hanson Ponds and Helix Water District Properties)

Presentation:
Mark Weston, Helix Water District
Michael Beck, Endangered Habitats Conservancy
Robin Rierdan, Lakeside's River Park Conservancy
9. San Diego River Coalition 2009 Work Plan
Presentation:
Rob Hutsel, San Diego River Park Foundation
10. Supplemental Environmental Project (SEP): San Diego River Park Foundation Projects: River Blitz Field Surveys & Clean and Green Volunteers

Presentation and Report:
Rob Hutsel, San Diego River Park Foundation
Resolution 09-01

11. SDRC Logo Design

Presentation:

Tanya Brederhoft, Artefact Design

12. Adjournment

Accessibility

In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call Michael Nelson at 619-645-3183

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 8, 2009

ITEM: 1

SUBJECT: **ROLL CALL AND INTRODUCTIONS**

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 8, 2009

ITEM: 2

SUBJECT: **APPROVAL OF MINUTES**

The Board will consider adoption of the **November 21, 2008** public meeting minutes.

PURPOSE: The minutes of the **November 21, 2008** Board Meeting are attached for your review.

RECOMMENDATION: Approve minutes

SAN DIEGO RIVER CONSERVANCY (SDRC)
Minutes of November 21, 2008 Public Meeting

(Draft Minutes for Approval January 8, 2009)

Chairperson Donna Frye called the November 21, 2008 meeting of the San Diego River Conservancy to order at approximately 9:43 a.m.

1. Roll Call

Members Present:

Donna Frye, Chair	Council Member, City of San Diego
Anne Haddad	Public at Large
Ben Clay	Public at Large
Toni Atkins	Council Member, Public at Large
Bryan Cash	Resources Agency—Via Phone
Ruth Hayward	Public at Large
John Donnelly	Wildlife Conservation Board
Robert Schladale	Department of Finance—Via Phone

Absent:

Andrew Poat	Public at Large
Dianne Jacob	Supervisor, Second District
Jerry Sanders	Mayor, City of San Diego
Ronie Clark	Department of Parks and Recreation Alternate Designee
David King	San Diego Regional Water Quality Board

Staff Members Present:

Michael Nelson,	Executive Officer
Jamee Jordan Patterson,	Supervising Deputy Attorney General
Flenell Owens,	Administrative Services Manager
Ann Van Leer,	Consultant, San Diego River Conservancy
Jim King,	Project Development Analyst

Others Present:

Chuck Muse, Chet Barfield, Melanie Kush, Megan Johnson, Tale Halse, Geoffrey Smith, John Coates, Carlos Lugo, Virginia Esperanza Lorne, Kathy Keehan, Joan Friedlander, Al Colby, Matt Rahn, Lisa Wood, Deanna Spehn, Stephanie Gaines

Chairperson Frye introduced two new members: **Bryan Cash**, Secretary of the Resources Agency designee and **Robert Schladale**, Director of the Department of Finance designee. Mr. Cash and Mr. Schladale took the oath of office and were sworn in as new Members by Supervising Deputy Attorney General Jamee Jordan Patterson.

2. Approval of Minutes

Ben Clay moved approval of the minutes of the September 18, 2008 public meeting. The motion was seconded by Ann Haddad and adopted by a voice vote of 5-0-2 with Alternate Board Member Bryan Cash and Board Member Ruth Hayward abstaining.

3. Public Comment

Any person may address the Governing Board at this time regarding any matter within the Board's authority. Presentations will be limited to three minutes for individuals and five minutes for representatives of organizations. Submission of information in writing is encouraged.

No Comment.

4. Chairperson's and Governing Board Members' Report

Chairperson Frye: advised that she was aware the Executive Officer had sent out dates for a tentative 2009 schedule for the Board's consideration. She stated that she had reviewed the responses received from Board Members regarding their availability and made the following recommendation for 2009 meeting dates:

Jan. 8, 2009	1:30 PM
March 5, 2009	1:30 PM
May 7, 2009	1:30 PM
July 9, 2009	9:30 AM
Sept. 3, 2009	9:30 AM
Nov. 5, 2009	1:30 PM

She added that in the event a quorum could not be achieved for any of these dates the Board could change them, and asked that the Executive Officer. She recommended these dates and asked the Executive Officer place them on the January meeting agenda for further discussion and formal adoption.

Ann Haddad moved to adopt the 2009 meeting dates. The motion was seconded by Ben Clay and approved unanimously by a voice vote of 7-0-0

6. Deputy Attorney General's Report (No report)

(Donna Frye reordered the agenda to move Item 5 to the end.)

7. San Diego River Trail – Mast Park West-City of Santee (Proposition 40 Grant Application)

Mike Nelson: Recalled that there was a presentation by the City of Santee regarding their

San Diego River Trail proposal for Mast Park West at the last Board Meeting; and that today he was asking the Board to consider formally endorsing an application for Proposition 40 funding for the project in the amount of \$475,000. He said that Santee's Mayor and Council had endorsed the project since the presentation to the SDRC Board.

The Executive Officer introduced John Coates, Community Services Director and Melanie Kush the City Planner to the Board.

Chairperson Frye: explained that the action before the Board is to approve a resolution supporting the City of Santee's application to the Resources Agency for an amount not to exceed \$475,000 of Proposition 40 funds set aside for the San Diego River Conservancy to develop the San Diego River Trail at Mast Park West.

John Donnelly: clarified that the Board was not authorizing the Project but rather authorizing a letter of support endorsing an application for funding.

Chairperson Frye: suggested that the Executive Officer revise the language of Resolution 08-07 to reflect John Donnelly's observation.

Ben Clay moved the approval of Resolution 08-07 authorizing a (\$475,000) Proposition 40, River Parkways Grant Application by the City of Santee for construction of the San Diego River Trail (Mast Park West Segment). Toni Atkins seconded the motion. The Board voted 7-0-0 to approve the motion.

8. Trust for Public Lands (TPL) – New Partnership (Grant for TPL's Conservation Vision Services)

Mike Nelson: reminded the Board that at previous meetings he had reported that the Trust for Public Land (TPL) was assisting SDRC with the negotiations for the acquisition of the Walker properties in Santee that comprise approximately two miles of riparian corridor and added that these properties connected a number of projects that the Board had approved.

He said that appraisals had been completed and negotiation had been initiated this month. He explained that TPL was a national organization that provided a number of vital services to its partners, such as Conservation Real Estate, Finance, and GIS. He proposed that SDRC take advantage of there Conservation Visioning services to create an addendum to our Strategic Plan. He stated that the Strategic Plan established four programs and identified projects that in most cases were expressed in numerical terms. He explained that this project would provide geographic specificity to the SDRC's goals. He explained that this exercise would also help SDRC market and geographically articulate its successes and programmatic objectives. He further suggested that TPL would analyze the various plans that had be adopted for the river and identify commonalities and shared priorities that are found in these documents(such as the City of San Diego's Draft San Diego River Park Master Plan, the San Diego River Conceptual Plan, the Multi species Conservation Programs plans etc).

He continued that a number of recently enacted statutes emphasized the importance of

"connectivity", a policy development that may benefit the Conservancy and should be emphasized in TPL's work. He added that Conceptual Area Protection Plans (CAPP) is used by the Department of Fish & Game to set their priorities and that this addendum could be designed accordingly. Finally he stated that the addendum would not only be a useful management tool, but it also could serve as a compelling marketing document. He asked the Board to allow SDRC to seek funds from the Coastal Conservancy to develop an addendum to the strategic plan that would give it geographic focus, but also serve as a marketing brochure.

Chairperson Frye: asked what would be the amount of this request.

Mike Nelson: stated that he had referenced \$100,000 in the staff report, but intended to negotiate a scope of work with the Coastal Conservancy and the Trust for Public Lands that would establish an actual amount, however, he added that based on his conversations with TPL, \$100,000 was a good estimate.

John Donnelly: The Conceptual Area Protection Plan is a plan that the Department of Fish & Game puts together in support of the partners it deals with statewide. It identifies important properties that they would like for us to pursue for them or for other organizations such as the Trust for Public Lands. This could be prepared in a manner similar to the Department of Fish & Game's Conceptual Area Protection Plans.

Ben Clay: Would this plan help us recognize that there are certain endangered species that we need to protect? And does could such a document help us secure funding and establish trails.

John Donnelly: stated that it should and said that the Conceptual Area Protection Plan typically has maps that show where the endangered species are located.

Mike Nelson: said that his conversations with TPL had not solely focused on land conservation. He stated that he would like the document to reflect trails as well as a restoration component.

Ben Clay: stated that Gary Gallegos of SANDAG was in Washington DC two weeks ago regarding a new funding program, and that he thought we should sit down with SANDAG to make sure our bicycle trail and trails program are included in any Congressional requests or programs that are developed, that we should make certain that our package is tied in with the regional request for highways, bike trails, and all the rest. I think it is an excellent opportunity for "fishing."

Chairperson Frye: asked Ben if he wanted to volunteer to make this happen.

Ben Clay: stated that he would be glad to help with the process.

Kathy Keehan: agreed that SDRC should work with SANDAG and that the Board might consider an action today to get on the SANDAG agenda and work with them to make certain that SDRC projects are included.

Ben Clay: asked if the Board is allowed to make that sort of direction

Chairperson Frye: I think we can provide direction, but I don't think we will be voting on it today, but the Board can certainly provide direction.

Ruth Hayward: As I understand, Mike, what you are saying here is that we are going to ask TPL to develop a brochure that links all of the building blocks for the entire river restoration project.

Mike Nelson replied that that was his intention.

Ruth Hayward: expressed her concern that the addendum included an emphasis on habitat as well as recreation. She stated that she was confused about the relationship of the acquisition of the Walker property acquisition, which was referenced in the Resolution, to the addendum that TPL would develop.

Mike Nelson: stated that he was utilizing the "whereas clause" to remind the Board that SDRC had initiated a partnership with TPL's Real Estate Services group and that now he was proposing to expand that relationship to engage their TPL's Conservation Visioning Group to develop the addendum to the strategic plan that we had been discussing.

Virginia Esperanza Lorne, Trust for Public Lands, stated that TPL was excited to work on the Walker Property acquisition and possibly future projects. She said she wanted to let the Board know that TPL has a presence here in San Diego.

Chairperson Frye: asked if we need to put a dollar amount in the resolution?

Mike Nelson: stated that he felt we should and suggested that the Resolution include an amount that would not exceed \$100,000.

Ruth Hayward moved for approval of Resolution 08-08 authorizing a the preparation of a grant request (not to exceed \$100,000) to develop an addendum to the Five Year Strategic & infrastructure plan that identifies and recommends geographically specific priorities for all the programs and projects contained in the plan. Ann Haddad seconded the motion. The Board voted 7-0-0 to approve the motion.

Chairperson Frye: stated that Ruth's concern was addressed in the staff Report, but we should specify which programs are contained in the Five Year Strategic and Infrastructure Plan: Land Conservation, Recreation and Education, Natural and Cultural Resources Preservation and Restoration, and Water Quality and Natural Flood Conveyance.

9. San Diego River Gorge Trail and Trailhead Improvement Project (Consideration of Adoption of a Negative Declaration)

Mike Nelson: introduced Jamee Jordan Patterson, Supervising Deputy Attorney General, and informed the Board that the Attorney's General Office had examined our efforts regarding the

Adoption of a Negative Declaration and was prepared to answer any questions the Board might have.

Jamee Jordan Patterson: stated that the report was complete and advised the Board that there was a motion on Page 4 of Item 9 which stated the appropriate language for the Board to use if the Board should decided to move the adoption of the Resolution.

Chairperson Frye: announced that Supervisor Jacob could not be here today, but was very concerned about the interaction between the Forest Service and the community, particularly San Diego Country Estates and requested that any action take include a requirement that the Forest Service continue to work closely with the community.

Mike Nelson: stated that the Board had endorsed and approved resolutions for this project on four occasions. He pointed out that this project was the first one identified in the Strategic Plan for the Recreation and Education Program. He explained that the project would improve the River Gorge Trail within the boundaries of Cleveland National Forest. He added that this trail provides public access to the river, which was on of the principal goals set forth in the San Diego River Conservancy Act. He said that the Forest has been in the public domain since 1908 and the trail had become one of the most popular attractions in the Palomar District of Cleveland National Forest. The partnership that exists between the Conservancy and the National Forest is to improve the River Gorge Trail and also provide for a trailhead at the western portion of the trail. He informed the Board that the existing unauthorized trails posed both a public safety as well as environmental problems.

The California Environmental Quality Act (CEQA) requires that any State funding that is proposed to be invested in this project comply with the requirements of the Act. As the project's lead agency under CEQA, SDRC conducted and posted an Initial Study and found that the project had no significant environmental impact, and warranted a Negative Declaration. He said that comments had been received and that the greatest opposition to the project was expressed by San Diego Country Estates, which is approximately 1000 feet from the proposed trailhead.

The Executive Officer introduced Joan Friedlander, District Ranger and Al Colby, to describe the scoping process that the Forest Service undertook for this project and the evaluation of sites that occurred prior to their decision to proceed with the project.

Ann Van Leer: testified that that the project had evolved from a trail rehabilitation project into a restoration project that included a trailhead. She added that the CEQA specialist who prepared the Initial Study worked closely with SDRC and The Forest Service. She informed the Board that the Initial Study was posted on the SDRC website for thirty plus days, as well as, a formal notice of Notice of Intent and the Draft Negative Declaration. She added that mailings were sent to those that expressed interest previously and that it was sent to the Ramona Library and the Union Tribune.

Ben Clay: Asked if the adjacent property owners had been notified.

Ann Van Leer: replied that it was posted and mailed electronically to those for which SDRC

had e-mail addresses.

Ben Clay: asked if our postings and mailings met the test in law.

Ann Van Leer: said that it did and that SDRC had consulted with the Deputy Attorney Generals Office throughout the entire process.

Joan Friedlander and **Al Colby**, from the Palomar District of Cleveland National Forest gave a PowerPoint presentation which illustrated existing conditions, trail alignments and a comparison of proposed trail head sites.

Ann Haddad: asked if the parking was presently informal, and if so, would the development of a trail head formalize it.

Joan Friedlander: replied that it would be formalized and there would be 10-15 parking spaces in designated areas.

Ann Haddad: inquired whether 10-15 would be ample parking.

Joan Friedlander: stated that it would be ample and is consistent with current use, that there may be more use, but not a significant increase.

Ann Haddad: asked whether people parked inside San Diego Country Estates.

Joan Friedlander: There have been people who have parked inside and homeowners have complained.

Ruth Hayward: said she could see that the end of Ramona Oaks Road was not very conducive for a trailhead and asked if the proposed trailhead was at the same location as the current one.

Joan Friedlander: answered that the trail head would be at the same location.

Ruth Hayward: stated that if the trail was improved and featured in the Union Tribune that there could be an influx of people.

Joan Friedlander: said that the Forest Service has dealt with this phenomenon before. She mentioned that all of the hiker guides feature the trail and the newspapers do feature it on occasion. So, it is already a very popular spot. We notice an influx of people in April, and typically usage is greater on weekends than weekdays.

Toni Atkins: asked if the road through San Diego Country Estates is considered a private road.

Joan Friedlander: replied that it was a County maintained road.

Chairperson Frye: stated that she thought the Board should hear from Diane Jacob's office, and invited Tale Halse to speak as her representative.

Tale Halse: Introduced herself to the Board as a Policy Advisor for Supervisor Jacob. She expressed Supervisor Jacob's concern that she was not certain that the Forest Service had thoroughly vetted the project and its decision making with the community. She added that the Supervisor was considering asking that the item be continued, but realized that the existing conditions posed public safety hazards and environmental impacts and consequently felt a delay was ill advised. She offered to arrange a meeting with the Forest Service, San Diego Country Estates, The San Diego River Conservancy, and possibly Congressman Hunter's office to address the community's issues.

Toni Atkins: wondered whether there was a way to improve signage in the neighborhood, as a traffic mitigation measure.

Chairperson Frye: said she was not certain whether it could made a condition of the motion to adopt the negative declaration, but there could be a second motion that would provide direction to the Forest Service to continue to work with the elected officials, members of the public, and, particularly the residents that potentially would be most impacted by the project.

Toni Atkins: stated that it seems to me that the Forest Service has recommended some things that would make the project viable. Also, mitigation and signage may help make things smoother with the Country Estates. I think that this is a great project and the Board's role, as I understand it from the Resolution, is to look at the negative declaration and listen to the comments from the public. She then asked from where the funds for this project coming.

Mike Nelson: answered that funding would come from Proposition 40 from funding that was set-aside by the Resources Agency for the San Diego River Conservancy.

Toni Atkins: asked if there was a linkage to SDRC's Strategic Plan.

Mike Nelson: stated that the project was specifically referenced in the Strategic Plan. He added that there would be ample time and opportunity to continue to engage the community and address issues such as those you raised regarding signage and traffic mitigation measures.

Joan Friedlander: agreed that there was time, particularly since Forest Service had not completed their compliance and decision-making associated with the National Environmental Policy Act (NEPA). She also said that the Forest Service had made a concerted effort to meet with the community. She advised the Board that her predecessor lived in that community and often met in their homes. She indicated that she was also in communication with Congressman Hunter's Office. She also expressed a willingness to talk with the County about signage. She also placed emphasis on the fact that this project and particularly the "host" that would be stationed at the trail head would allow the Forest Service to manage this area and have an enforcement program presence that would address many of the landowners concerns.

Chairperson Frye opened the discussion to the public for any comments.

Geoffrey Smith stated that he has served as Chair of the Advisory Committee for the Trans-County Trail and was representing himself and a coalition of organizations called "Wilderness

For All" that are dedicated to education, exploration, and advocates for wild rivers and wild lands in the San Diego region. He stated that this was a very significant, fire prone area and was located at the wild land urban interface. He said this fact suggests that a feature of the trail could be interpretive program that explained fire ecology. He noted that the Forest Service had stated that this project would enable the Service to better manage an already existing condition. He emphasized that this was not a new trailhead, but one that has been used for many years. He went on to make two points: one that it would allow the Forest Service and visitors to respect the resource and allow it to be well maintained; and, secondly it was a gateway to proposed wilderness areas, that over 24,000 acres of proposed federal wilderness are visible from that vantage point.

Kathy Keehan spoke on behalf of the San Diego River Coalition and agreed with the comments presented by Mr. Smith.

Mike Nelson introduced into the record a letter of support from Rob Hutsel on behalf of The San Diego River Coalition.

Ben Clay: asked if there were any homeowners in the audience that had comments.

Toni Atkins moved to accept staff's recommendation to adopt Resolution 08-09 by the following motion: That the Conservancy find the Negative Declaration reflects the Board's independent judgment and there is no substantial evidence in the record before us that the Project will have a significant effect on the environment and therefore move approval of Resolution 08-09. Ben Clay seconded the motion. The Board voted 7-0-0 to approve the motion.

Chairperson Frye: asked that a second motion be entertained to provide direction consistent with the wishes of Supervisor Jacob. She suggest that the second motion is probably more in the form of direction, but I think that the Board should do it in the form of a motion; Particularly since Supervisor Jacob is not able to be here and we want to make sure that we do everything that we can to make certain that her request is formally adopted. She suggested that we should encourage the Forest Service and the San Diego River Conservancy to continue working with all of the elected officials and particularly Supervisor Jacob, Congressperson Hunter, and members of the public particularly the residents of the Country Estates.

Ben Clay moved to continue to encourage the Forest Service and the San Diego River Conservancy to continue working with all of the elected officials particularly Supervisor Jacob, Congressman Hunter, and members of the public particularly the residents of the San Diego Country Estates regarding this project. Ann Haddad seconded the motion. The Board voted 7-0-0 to approve the motion.

5. Executive Officer's Report

Project Update

Logo Design

Chairperson Frye: reminded the Board that at our last meeting we were looking at the logos

that were prepared for SDRC and that we directed the graphic designer to address the concerns that were raised. She added that the resulting concepts were in your packets for your consideration.

Chairperson Frye asked each member which Concept they preferred.

Anne Haddad selected Concept 1.

Ben Clay selected Concept 1.

Ruth Hayward selected Concept 2B.

Bryan Cash selected Concept 2B.

John Donnelly selected Concept 1A.

Toni Atkins selected Concept 2B.

Robert Schladale selected Concept 2B.

Tale Halse on behalf of **Dianne Jacob** selected 2B.

Chairperson Frye selected Concept 2B.

Mike Nelson: stated the graphic designer was willing to refine this concept and make a presentation to the Board.

Chairperson Frye: asked that this presentation be added to the agenda.

Chairperson Frye invited guests that had requested an opportunity to address the Board to come forward.

Matt Rahn provided an update to the Board on the partnership between San Diego State Foundation, the River Park Foundation, and The San Diego River Conservancy. He stated that considerable progress had been made during the last 7 months. He said that SDRC was working with the soil ecology group on campus to assist with restoration projects and that secondly, progress was being made on the concept of the wireless watershed that was demonstrated on April 18th. He informed the Board that President Weber at San Diego State University awarded him the President's Leadership Award this year for the project and the development of a San Diego River Research Center. We hope to be able to become stronger partners in the river and help with data collection and data dissemination to all of our partners. He said that he was optimistic that we would be able to design and install the first sensor at Mission Trails Park.

Ben Clay: said that one of the greatest risks to the river was the plume from the tanks under Qualcomm. He added that he would like to see some monitoring at that point to make sure whatever is occurring there doesn't get into the river.

Chairperson Frye: said that she thought this was a great idea.

Matt Rahn: said that site selection for the sensors will be a top priority for the first year.

Mike Nelson: stated that the Supplemental Environmental Project (SEP), the Regional Water Quality Control Board is considering with the San Diego Water Authority will provide \$40,000 for this effort. He also informed the Board that the Department of Toxic Substances Control was contemplating a SEP for the project.

Lisa Wood: introduced herself as a resident of the El Monte Valley and said that citizens who reside in the upper reaches of the San Diego River are becoming more involved in the planning for their area. She explained that water is extremely important to them and that they have a number of concerns about the some of the plans that are under discussion.

Bike Path

Mike Nelson: stated that the City is still having problems with the Bike Path. He said that the longitudinal encroachment permit was issued by Caltrans, but he has learned that a similar permit is necessary from MTS and their partner, the North County Transit Authority. It has been reported that MTS is comfortable with where things stand, but they are partners with North County Transit Authority which would like to see cameras, fencing, lights and more studies, that will continue to delay the project. The City is working through these issues and a member of the City attorney's staff is attempting to negotiate an agreement that resolves these issues.

Toni Atkins: said that MTS has had an interesting relationship with North County Transit Authority. She recommended that SANDAG might be of assistance and that she would make a call to SANDAG.

Contracts & Procurements

Department of Fish & Game Property

Mike Nelson: expressed his hopes that the Department of General Services will give their approval to a contract that would allow SDRC to remove about 14 acres of arundo on property that Fish & Game owns near Qualcomm stadium.

Legislative News

SB 1428

He reported that the Governor had signed Senate Bill 1428 which extended the life of the Conservancy for an additional 10 years.

08-09 Budget

He stated that though SDRC's support budget is still very small, the good news is that there is a capital outlay of \$3,000,000 set aside for SDRC in the Coastal Conservancy's 08-09 Budget for Proposition 84 funds.

2008-2009 Special Session-Governor's Announcement

Reported that a special session had been convened to deal with the budget crisis and informed the Board that presently the support budget for SDRC had not been reduced.

10. The meeting was adjourned at 11:25 AM.

Accessibility

In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call Michael Nelson at 619-645-3183.

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 8, 2009

ITEM: **3**

SUBJECT: **PUBLIC COMMENT**

PURPOSE: Any person may address the Governing Board at this time regarding any matter within the Board's authority which is not on the agenda. Submission of information in writing is encouraged. Presentations will be limited to three minutes for individuals and five minutes for representatives of organizations. Presentation times may be reduced depending on the number of speakers.

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 8, 2009

ITEM: **4**

SUBJECT: **CHAIRPERSON'S AND GOVERNING BOARD
MEMBER'S COMMENTS**

PURPOSE: These items are for Board discussion only and the Board
will take no formal action.

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S REPORT
Meeting of January 8, 2009

ITEM: **5**

SUBJECT: **EXECUTIVE OFFICER'S REPORT**
The following topics may be included in the Executive Officers Report. The Board may take action regarding any of them:

Final Adoption / 2009 Meeting Schedule

Budget Letter: Interim Loans for General Obligation Bonds and

Lease Revenue Bond Projects

Supplemental Environmental Project (SEP)

- San Diego Regional Water Quality Control Board- San Diego Water Authority

- Dept. of Toxic Substances Control – Kyocera
Case No. 37-2007-00074954-CU- MC-CTL

Project Updates

-Bike Path

-SDSU, SDRC, SDRPF / San Diego River Watershed Data Collection and Restoration Program

Contract & Procurements

-Department of Fish & Game Property

San Diego River Conservancy
(Governing Board)

2009 Meeting Schedule

January 8, 2009	1:30 PM
March 5, 2009	1:30 PM
May 7, 2009	1:30 PM
July 9, 2009	9:30 AM
September 3, 2009	9:30 AM
November 5, 2009	1:30 PM

BUDGET LETTER

	NUMBER: 08-33
SUBJECT: INTERIM LOANS FOR GENERAL OBLIGATION AND LEASE REVENUE BOND PROJECTS	DATE ISSUED: December 18, 2009
REFERENCES:	SUPERSEDES:

TO: Secretary of State
State Controller
State Treasurer
Superintendent of Public Instruction
Administrative Office of the Courts
Agency Secretaries
Office of the President, University of California
Chancellor's Office, California State University
Board of Governors, California Community Colleges

Department Directors
All GO Bond Financing Committees
California Institute for Regenerative Medicine
Departmental Budget Officers
Departmental Accounting Officers
Department of Finance Budget Staff

FROM: DEPARTMENT OF FINANCE

Budget Officers are requested to forward this Budget Letter (BL) to their Department Facilities, Construction, and Contract Managers.

The Pooled Money Investment Board (PMIB) voted yesterday to freeze all disbursements from AB 55 loans (Pooled Money Investment Account (PMIA) loans) with the exception of accrued interest and necessary administrative costs. The PMIB took this action to preserve necessary cash resources to pay the day-to-day operational needs of the state for the balance of the fiscal year pending further PMIB action in January. If loan disbursements continue at the current pace, the state's portion of the PMIA is projected to run out of liquid cash before the end of the current fiscal year (cash held in the Local Agency Investment Fund will remain). No future loans or higher amount of loan renewals will be approved until the budget crisis is resolved in a manner sufficient to allow the state to resume issuing bonds.

AGENCY LIABILITY

Please be advised that any expenditure not in compliance with this BL could result in your department's or agency's operating budget being obligated to pay that expenditure.

PROJECT SUSPENSION AND FREEZES

Effective immediately, all state entities that have expenditure control and oversight of General Obligation and lease revenue bond programs shall:

1. Cease authorizing any new grants or obligations for bond projects, including new phases for existing projects.
2. Suspend all projects, excluding those for which Department of Finance (DOF) authorizes an exemption based on criteria described unless the contracting entity can continue with non-state funding sources (private, local, or federal funds).

3. Freeze all disbursements on AB 55 loans that were not authorized nor submitted to the Controller for payment prior to December 17, 2008.
4. Instruct all grant or loan recipients not to enter into any new construction, other agreements or contracts that would be funded from AB 55 loans.

State entities are not permitted to substitute cash in special funds for previously approved AB 55 loans. Utilizing cash in other state special funds that are in the PMIA would not comply with the PMIB's actions taken yesterday.

EXEMPTIONS

Immediately report to your DOF Program Budget Manager any project, which if suspended, will subject the state to unacceptable legal liability, fines or penalties. Such projects will be reviewed on a case-by-case basis to determine if continued funding is appropriate or feasible.

In the next few days, additional project information and status will be required so that the PMIB may determine what additional expenditures will be authorized to comply with its direction that all future AB 55 disbursements not exceed \$500 million through June 2009.

Additional information and direction will be forthcoming.

/s/ Michael C. Genest

MICHAEL C. GENEST
Director

From: Bryan Cash [bryan.cash@resources.ca.gov]

Sent: Wednesday, December 17, 2008 2:55 PM

To: Page, Livia@CALFED; David Gregorich; Erin Healy; Gibbs, Tom; bill.robertson@fire.ca.gov; Helen Carriker; Roxanne Woodward; Prentiss Williams; Lopez, Manuel; Rorie Skei; Belinda Faustinos; melinda.marks@sjrc.ca.gov; david.mcneill@bhc.ca.gov; Michael Nelson; Bill Havert; Joan Keegan; Kishaba, Kathie; Myatt, Mike

Cc: Coleman, Ruth; Don Koch; Joseph T. Edmiston, FAICP; Snow, Lester; Grindstaff, Joe@CALFED; pwright@tahoe.ca.gov; David Muraki; Patrick Kemp; Karen Scarborough; Mike Chrisman; Sandy Cooney; Todd Ferrara; Chris Mowrer; Julie Alvis; Marshall, Jason; derek.chernow@conservation.ca.gov; Tuttle, Crawford; Barentson, Janet; david.titus@fire.ca.gov; John McCamman; Gabe Tiffany; John Donnelly; Neal Fishman (E-mail); Sam Schuchat; Harris, Michael; Jim Branham; Sims, Susan; Polly Escovedo

Subject: Pooled Money Investment Board Action

The Pooled Money Investment Board (PMIB) met today to discuss the state of the Pooled Money Investment Account (PMIA) and the bonds that obtain loans from this account. At the meeting, staff pointed out that the State is currently unable to sell Commercial Paper, GO or Lease Revenue bonds and will not be able to do so until a budget solution is achieved. Without being able to sell bonds, the PMIA would not be able to sustain the current projected bond expenditures. As such, the PMIB took an action which affects all programs funded out of PMIB loans. For Resources Agency departments that would include all GO Bond Programs (Props. 204, 12, 13, 40, 50, 84, 1E) and Lease Revenue Bond projects (Fire Stations, CCC Facilities, etc).

Based on the discussions and actions of the PMIB the following will occur:

- 1) The Governor's Office will soon be directing departments to do the following:
 - (a) immediately cease entering into any new construction, grant, loan or other agreements that commit the expenditure of funds pursuant to PMIB loans;
 - (b) immediately instruct all grant or loan recipients of GO bond funds to cease from entering into any new construction or other agreements or contracts that would be funded from GO bond funds.
2. A new Board meeting will be convened in early January 2009 to further address this issue.
3. Staff from the Department of Finance and the State Treasurer's Office will consult with the administrators of all outstanding loans and present a recommendation at the meeting to be held in the first week of January 2009 for winding down each loan in a manner that will reduce future loan expenditures to the greatest extent possible without subjecting the State to unacceptable penalties or legal action. **The cumulative future disbursements after December 17, 2008 should not exceed \$500 million in order to keep the available Pool balance from going negative by June 2009. This is for all programs/projects funded out of the PMIA statewide.**
4. The SCO will freeze disbursements until the next Board meeting in January, with the exception of accrued interest and necessary administrative costs (such as State employee salaries). **Please do not formally act on these until you receive further direction from the Administration.**

Bryan Cash
Deputy Assistant Secretary - Bonds and Grants

Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814
TEL (916) 653-6381
FAX (916) 653-8102



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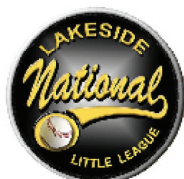
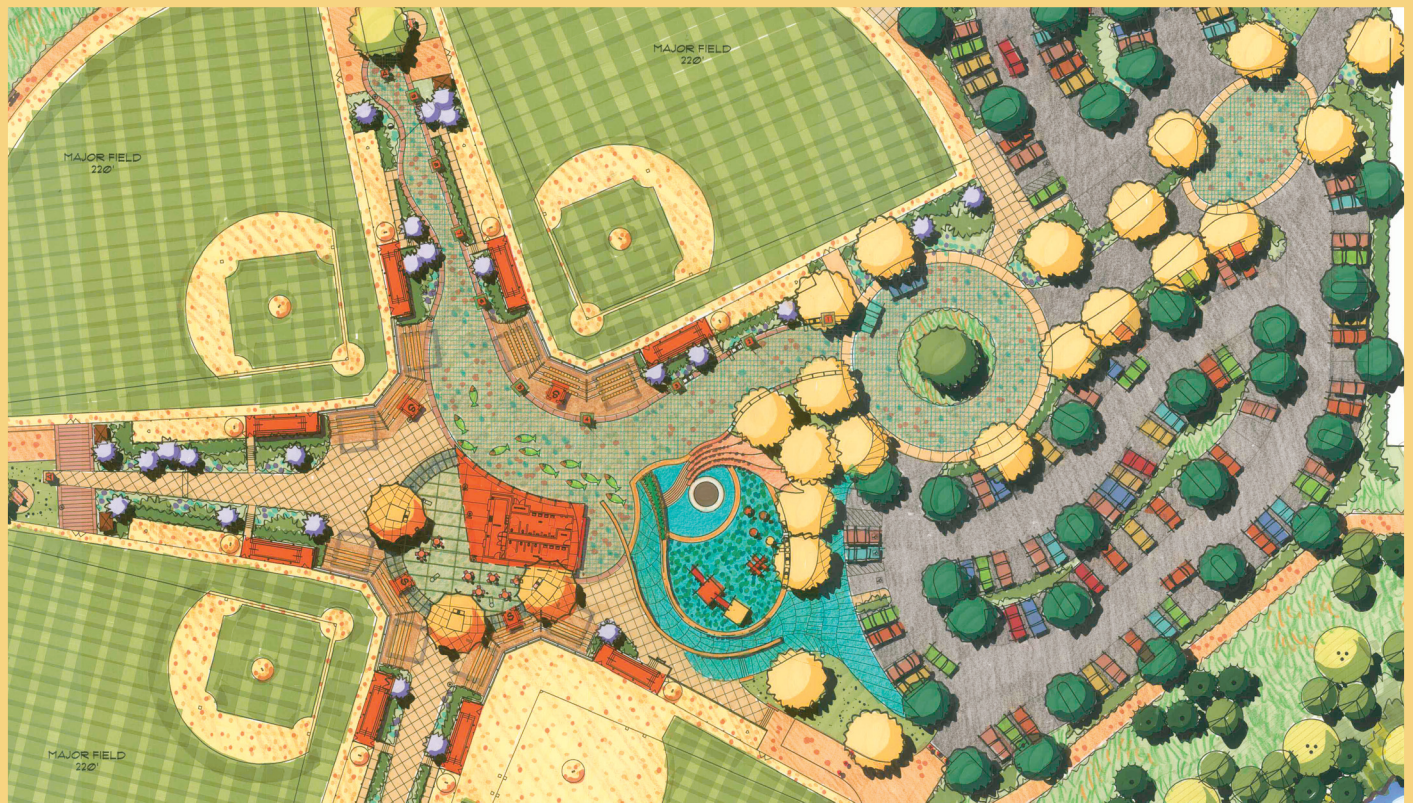
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or contact Mina.Nguyen@sdcounty.ca.gov

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S REPORT
Meeting of January 8, 2009

ITEM: **6**

SUBJECT: **DEPUTY ATTORNEY GENERAL'S REPORT**
This item is for Board discussion only and the Board will
take no formal action. (*Hayley Peterson*)

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S REPORT
Meeting of January 8, 2009

ITEM: **7**

SUBJECT: **UPDATE ON CITY OF SAN DIEGO RIVER PARK
MASTER PLAN**

Presentation:
Robin Shifflet, City of San Diego

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S REPORT
Meeting of January 8, 2009

ITEM: **8**

SUBJECT: **EL MONTE VALLEY: ACQUISITION, DEVELOPMENT
AND RESTORATION PLANS (HANSON PONDS AND
HELIX WATER DISTRICT PROPERTIES)**

Presentation:

Mark Weston, Helix Water District

Michael Beck, Endangered Habitats Conservancy

Robin Rierdan, Lakeside's River Park Conservancy

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S REPORT
Meeting of January 8, 2009

ITEM: **9**

SUBJECT: **SAN DIEGO RIVER COALITION 2009 WORK PLAN**

Presentation:
Rob Hutsel, San Diego River Park Foundation

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S REPORT
Meeting of January 8, 2009

ITEM: **10**

SUBJECT: **SUPPLEMENTAL ENVIRONMENTAL PROJECT (SEP):
SAN DIEGO RIVER PARK FOUNDATION PROJECTS:
RIVERBLITZ FIELD SURVEYS & CLEAN AND GREEN
VOLUNTEERS**

Presentation and Report:
Rob Hutsel, San Diego River Park Foundation
Resolution 09-01

EXECUTIVE OFFICER'S SUMMARY REPORT
Meeting of January 8, 2009

ITEM: 10

SUBJECT: **AUTHORIZING AND ENDORSING A \$35,000 GRANT TO THE SAN DIEGO RIVER PARK FOUNDATION FOR *RIVER BLITZ* FIELD SURVEYS AND *CLEAN AND GREEN VOLUNTEERS* RIVER CLEAN UPS TO IMPLEMENT A SUPPLEMENTAL ENVIROMENTAL PROJECT**

PURPOSE: The Board may consider adoption of Resolution 09-01 authorizing the San Diego River Conservancy (SDRC) to make a grant of \$35,000 from the Special Deposit Fund, which contains funds from the San Diego County Water Authority for the implementation of a Supplemental Environmental Project (SEP).

STRATEGIC PLAN CONSISTENCY: This item will help to implement Program 2, Recreation & Education and Program 4, Water Quality and Natural Flood Conveyance.

BACKGROUND:

Project Summary:

The San Diego County Water Authority (SDCWA) requested that the San Diego Regional Water Quality Control Board (SDRWQCB) authorize a Supplemental Environmental Project(SEP) for the San Diego River to address Order No, 2001-96, NPDES N0. CAG919002. SDRC recommended a SEP that included three projects totaling \$75,000. The SDRWQCB approved an Amended Complaint R9-2007-0014 to allow the SDCWA and SDRC to implement the SEP.

Project Discussion:

SDRC proposed a SEP to SDCWA and SDRWQCB three projects, two of which would involve a grant to the San Diego River Park Foundation and a third for a project that is being developed with SDRC, the Foundation and San Diego State University. The two projects that will be performed by SDRPF are briefly described as follows:

The San Diego River Conservancy would provide a grants totaling \$35,000 to expand two of the Foundation's projects and cover their administrative costs (\$3500)

1. RIVER BLITZ (\$7500) River Blitz Field Surveys

The Conservancy would make a \$7500 grant to SDRPF to provide funding for the River Blitz Program. Twice a year teams go out and survey the River. These teams of trained volunteers use handheld GPS (Global Positioning System) units to record the precise location of any trash. The trash is also photographed with a digital camera. The volunteers also record selected invasive non-native plants, graffiti, and water quality problems. The surveys are conducted in April and October to create a snapshot of the river from Lakeside to the Ocean. Additionally, once per year the upper portion of the river is surveyed.

The data collected is used to coordinate future trash removal efforts. This work is done in partnership with public agencies, landowners and community-based organizations. Each year the data is used to prepare a Healthy of the River report. The report is made publicly available. The data is also placed in a web-based clearinghouse so the partners can access and use the data for planning purposes.

2. CLEAN AND GREEN VOLUNTEERS (\$24,000) River Clean-Ups

This grant would fund 12 River Clean-Ups. The Clean and Green Volunteers do the heavy work of removing trash from along and in the River. Events are organized on a regular basis. Typically, these events have between 50 and 125 volunteers. The clean-up locations are based upon data collected through the semi-annual River Blitz field surveys as well as reports received from the public. The Clean and Green Team also works on controlling the problem at its source by providing information about the importance of a clean and healthy river to volunteers and the public. The Team works with property owners and public agencies to address chronic problems.

Additionally, an Action Response Team (ART) stands ready to respond to join urgent needs or smaller projects where a few people can really make a big difference.

TOTAL GRANT AMOUNT = \$35,000

SUPPORTING
DOCUMENTS:

Resolution 09-01
Amended Complaint R9-2007-0014
SDRC letter to SDRWQCB

Resolution No: 09-01
RESOLUTION OF THE GOVERNING BOARD OF THE SAN DIEGO RIVER CONSERVANCY

**AUTHORIZING AND ENDORSING A \$35,000 GRANT TO
THE SAN DIEGO RIVER PARK FOUNDATION FOR *RIVER BLITZ* FIELD SURVEYS AND
*CLEAN AND GREEN VOLUNTEERS RIVER CLEAN UPS***

WHEREAS, the San Diego Regional Water Quality Board (SDRWQCB) approved an Amended Complaint R9-2007-0014 with the San Diego County Water Authority (SDCWA) to provide the San Diego River Conservancy (SDRC) with \$75,0000 to fund a Supplemental Environmental Project (SEP) for the San Diego River; and,

WHEREAS, the SDRWQB and the SDCWA reviewed and approved the projects SDRC proposed to implement the SEP; and,

WHEREAS, the San Diego River Park Foundation (SDRPF) has agreed to complete two of the projects identified in the SEP; and,

WHEREAS, the SDCWA has made a \$75,000 payment to SDRC to implement and fund these projects consistent with the SEP and the Amended Complaint; and,

WHEREAS, the Governing Board of the San Diego River Conservancy finds that providing a grant for the SDRPF's River Blitz and Clean and Green Volunteers Programs, is consistent with the Conservancy's Five Year Strategic and Infrastructure Plan, specifically Program 2, Recreation & Education and Program 4, Water Quality and Natural Flood Conveyance.

NOW, THEREFORE, BE IT RESOLVED that the San Diego River Conservancy Board of Directors:

1. Awards a \$35,000 grant to the San Diego River Park Foundation to conduct 2 field surveys (\$7500) and perform and manage 12 River Clean Ups (\$24,000); and
2. Requires the San Diego River Park Foundation to enter into a project agreement with the San Diego River Conservancy and provide assurances that the Work Program contained in this agreement will be completed; and
3. Appoints the Executive Officer as agent for San Diego River Conservancy to conduct all the negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project.

Approved and adopted the 8th day of January, 2009. I, the undersigned, hereby certify that the foregoing Resolution Number 09-01 was duly adopted by the San Diego River Conservancy's Governing Board.

Roll Call Vote:

Ayes: _____

Nos: _____

Michael J. Nelson, Executive Officer
San Diego River Conservancy



California Regional Water Quality Control Board San Diego Region



Linda S. Adams
Secretary for
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<http://www.waterboards.ca.gov/sandiego>

October 2, 2008

CERTIFIED-RETURN RECEIPT REQUESTED
7007 3020 0001 0040 6860

Ms. Maureen A. Stapleton
General Manager
San Diego County Water Authority
4677 Overland Avenue
San Diego, California 92123-1233

In reply refer to:
CAU:14-1414.02:rstewart
Place ID: 625254

Dear Ms. Stapleton:

AMENDED COMPLAINT NO. R9-2007-0014 FOR ADMINISTRATIVE CIVIL LIABILITY FOR MANDATORY MINIMUM PENALTIES UNDER WATER CODE SECTION 13385, VIOLATION OF ORDER NO. 2001-96, NPDES CO. CAG919002

Enclosed is Amended Complaint No. R9-2007-0014, Administrative Civil Liability with Mandatory Minimum Penalties, for the amount of \$135,000 for violations of effluent limitations established by Order No. 2001-96, NPDES No. CAG919002, *General Waste Discharge Requirements for Groundwater Extraction and Similar Waste Discharges from Construction, Remediation, and Permanent Groundwater Extraction Projects to Surface Waters Within the San Diego Region Except for San Diego Bay*. The violations addressed in the Complaint result from the San Vicente Pipeline Project dewatering discharges at the Slaughterhouse Canyon Shaft Site to a tributary to the San Diego River.

The \$15,000 increase in the recommended liability above the original Complaint, issued on January 22, 2007, is necessary to account for five additional effluent limitation violations that you reported to the Regional Board for the December 2006 and January 2007 reporting periods that were not contained in the original Complaint.

Based on communication with representatives of San Diego County Water Authority, I understand that you do not intend to contest the assessment of the mandatory penalty, however, you request that \$75,000 of the penalty be used to fund a Supplemental Environmental Project (SEP) by the San Diego River Conservancy. This is the maximum amount allowed under WCS 13385(l)(1). The remaining \$60,000 of the penalty would be paid to the State Water Resources Water Pollution Cleanup and Abatement Account.

California Environmental Protection Agency

Ms. Maureen A. Stapleton
San Diego County Water Authority

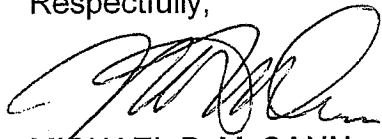
- 2 -

October 2, 2008

In order for this matter to appear on the Regional Board's November 12, 2008 agenda you must verify your intentions in writing no later than October 14, 2008. Mr. Michael Nelson of the San Diego River Conservancy has already provided the Regional Board with a description of the SEP that is proposed to be funded.

Please contact Rebecca Stewart at (858) 467-2966 or via e-mail at Rstewart@waterboards.ca.gov if you have any questions concerning this matter.

Respectfully,



MICHAEL P. McCANN
Assistant Executive Officer

MPM:mja:rls

Enclosures: Amended Complaint No. R9-2007-0014

cc: with enclosures (via email only)

Larry Purcell, San Diego County Water Authority, LPurcell@sdcwa.org

Daniel Hentschke, General Counsel, San Diego County Water Authority
DHentschke@sdcwa.org

Dan Diehr, San Diego County Water Authority, DDiehr@sdcwa.org

Erik Spiess, Office of Enforcement, SWRCB, espiess@waterboards.ca.gov

Michael Nelson, San Diego River Conservancy, mnelson@sdrc.ca.gov

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

IN THE MATTER OF:)

SAN DIEGO COUNTY WATER AUTHORITY)
SAN VICENTE PIPELINE PROJECT)
DEWATERING, LAKESIDE, CALIFORNIA)

VIOLATIONS OF EFFLUENT LIMITATIONS)
IN ORDER NO. 2001-96, NPDES NO.)
CAG919002 GENERAL WASTE DISCHARGE)
REQUIREMENTS FROM GROUNDWATER)
EXTRACTION AND SIMILAR DISCHARGES)
FROM CONSTRUCTION, REMEDIATION,)
AND PERMANENT GROUNDWATER)
EXTRACTION PROJECTS TO SURFACE)
WATERS WITHIN THE SAN DIEGO REGION)
EXCEPT FOR SAN DIEGO BAY)
WDID NO. 9 000001414)

AMENDED

**COMPLAINT NO. R9-2007-0014
FOR
ADMINISTRATIVE CIVIL LIABILITY
WITH
MANDATORY MINIMUM PENALTIES**

OCTOBER 2, 2008

SAN DIEGO COUNTY WATER AUTHORITY IS HEREBY GIVEN NOTICE THAT:

1. San Diego County Water Authority is alleged to have violated provisions of law for which the California Regional Water Quality Control Board, San Diego Region (Regional Board) may impose civil liability pursuant to the Porter-Cologne Water Quality Control Act, §13385 of the California Water Code (CWC). The violations alleged herein include violations of effluent limitations in waste discharge requirements for discharges of pollutants from point sources to navigable waters for which the Regional Board must impose mandatory minimum penalties (MMP).
2. San Diego County Water Authority discharged treated wastewater to a tributary to the San Diego River subject to waste discharge requirements, including numeric effluent limitations, contained in *Order No. 2001-96, NPDES No. CAG919002, General Waste Discharge Requirements for Groundwater Extraction and Similar Waste Discharges from Construction, Remediation, and Permanent Groundwater Extraction Projects to Surface Waters Within the San Diego Region Except for San Diego Bay.*
3. CWC section 13385 (h) includes provisions for MMP for serious violations of waste discharge requirements for surface water discharges. Each serious violation (defined as a violation of an effluent limitation for Group I pollutants by 40 percent or more, or for Group II pollutants by 20 percent or more) is subject to

a three thousand dollar (\$3,000) MMP.

ALLEGATIONS

4. Between December 2005 and January 2007 the discharge to a tributary to the San Diego River exceeded effluent limitations for total nitrogen as noted in *Table 1. Amended Summary of Effluent Violations* (attached).
5. Pursuant to subdivision (h) of Section 13385 of the CWC, the Regional Board must impose an MMP of one hundred thirty five thousand dollars (\$135,000) for the alleged violations of effluent limitations as determined by the following:

- a. On January 9 and 24, 2006, the concentrations of total nitrogen (a Group I pollutant) in your discharge were 2.23 mg/L and 8.35 mg/L respectively, which exceeded the instantaneous maximum effluent limitation (2.0 mg/L) by 40% or more.

Based on samples collected on January 9, 17, and 24, 2006, the average concentration of total nitrogen in January 2006 was 1.73 mg/L, which exceeded the average monthly effluent limitation (AMEL) (1.0 mg/L) by 40% or more.

- b. On February 7 and 24, 2006 the concentrations of total nitrogen in your discharge were 16.1 mg/L and 25.2 mg/L respectively, which exceeded the instantaneous maximum effluent limitation by 40% or more.

Based on samples collected on February 7 and 14, 2006, the average concentration of total nitrogen in February 2006 was 20.6 mg/L, which exceeded the AMEL by 40% or more.

- c. On March 3, 10, 16, 17, and 30, 2006, the concentrations of total nitrogen in your discharge were 20 mg/L, 12.9 mg/L, 5.8 mg/L, 9.3 mg/L and 7.08 mg/L respectively, which exceeded the instantaneous maximum effluent limitation by 40% or more.

Based on samples collected on March 3, 10, 16, 17, 20, 24, and 30, 2006, the average concentration of total nitrogen in March 2006 was 8.3 mg/L, which exceeded the AMEL by 40% or more.

- d. On April 6 and 11, 2006, the concentrations of total nitrogen in your discharge were 6.4 mg/L and 2.96 mg/L respectively, which exceeded the instantaneous maximum effluent limitation by 40% or more.

Based on samples collected on April 6 and 11, 2006, the average concentration of total nitrogen in April 2006 was 4.7 mg/L, which exceeded

the AMEL by 40% or more.

- e. On May 18 and 25, 2006, the concentrations of total nitrogen in your discharge were 5.2 mg/L and 5.28 mg/L respectively, which exceeded the instantaneous maximum effluent limitation by 40% or more.

Based on samples collected on May 18, 25, and 31, 2006, the average concentration of total nitrogen in May 2006 was 3.7 mg/L, which exceeded the AMEL by 40% or more.

- f. On June 13, 20, and 27, 2006, the concentrations of total nitrogen in your discharge were 2.61 mg/L, 6.4 mg/L and 4.9 mg/L which exceeded the AMEL by 40% or more.

Based on samples collected on June 6, 13, 20, and 27, 2006, the average concentration of total nitrogen in June 2006 was 3.72 mg/L, which exceeded the AMEL by 40% or more.

- g. On July 25, 2006, the concentration of total nitrogen in your discharge was 7.67 mg/L, which exceeded the instantaneous maximum effluent limitation by 40% or more.

Based on samples collected on July 7, 13, and 25, 2006, the average concentration of total nitrogen in July 2006 was 3.2 mg/L, which exceeded the AMEL by 40% or more.

- h. On August 1, 8, 15, 22, and 29, 2006, the concentrations of total nitrogen in your discharge were 10.4 mg/L, 3.1 mg/L, 7.8 mg/L, 17.6 mg/L and 3.6 mg/L respectively, which exceeded the instantaneous maximum effluent limitation by 40% or more.

Based on samples collected on August 1, 8, 15, 22, and 29, 2006, the average concentration of total nitrogen in August 2006 was 8.5 mg/L, which exceeded the AMEL by 40% or more.

- i. On September 18, 2006 the concentration of total nitrogen in your discharge was 19.6 mg/L, which exceeded the instantaneous maximum effluent limitation by 40% or more.

Based on the September 18, 2006 sample, the average concentration of total nitrogen in September 2006 was 19.6 mg/L, which exceeded the AMEL by 40% or more.

- j. On October 4, 10, 17, and 25, 2006, the concentrations of total nitrogen in your discharge were 4.3 mg/L, 7.3 mg/L, 4.8 mg/L, and 6.5 mg/L respectively,

which exceeded the instantaneous maximum effluent limitation by 40% or more.

Based on samples collected on October 4, 10, 17, and 25, 2006, the average concentration of total nitrogen in October 2006 was 5.7 mg/L which exceeded the AMEL by 40% or more.

- k. On November 7, 16, and 25, 2006, the concentrations of total nitrogen in your discharge were 13.2 mg/L, 2.8 mg/L, and 9.07 mg/L respectively, which exceeded the instantaneous maximum effluent limitation by 40% or more.

Base on samples collected on November 7, 16, 25, and 27, 2006, the average concentration of total nitrogen in November 2006 was 6.5 mg/L, which exceeded the AMEL by 40% or more.

- l. On December 8 and 13, 2006, the concentrations of total nitrogen in your discharge were 8.6 mg/L and 4.6 mg/L respectively, which exceeded the instantaneous maximum effluent limitation by 40% or more.

Based on samples collected on December 1, 8, 13, 19 and 29, 2006, the average concentration of total nitrogen in December 2006 was 3.2 mg/L which exceeded the AMEL by 40% or more.

- m. On January 6, 2007, the concentration of total nitrogen in your discharge was 4.0 mg/L which exceeded the instantaneous maximum effluent limitation by 40% or more.

Based on the sample collected on January 6, 2007, the average concentration of total nitrogen in January 2007 was 4.0 mg/L which exceeded the AMEL by 40% or more.

PROPOSED CIVIL LIABILITY

6. Pursuant to sections 13385(h) and (i) of the CWC, the Regional Board must impose mandatory minimum penalties of one hundred thirty five thousand dollars (\$135,000) on San Diego County Water Authority. No additional civil liability for the violations alleged in this Complaint is recommended.

Dated this 2nd day of October, 2008



MICHAEL P. McCANN
Assistant Executive Officer



San Diego River Conservancy

1350 Front Street, Suite 3024, San Diego, California 92101
(619) 645-3183 • Fax (619) 238-7068

John Robertus
Executive Officer
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA. 92123-4340

Dear Mr. Robertus:

I understand that the San Diego Regional Water Quality Control Board (SDRWQCB) is willing to consider a Supplemental Environmental Project (SEP) proposal for \$75,000, as a result of an enforcement action taken in response to a violation that occurred in the watershed of the San Diego River by the San Diego County Water Authority.

The purpose of this correspondence is to express the interest of the San Diego River Conservancy (SDRC) in obtaining these funds to pursue water quality improvement projects in the watershed. The SDRC proposes to work with the San Diego River Park Foundation (SDRPF) and San Diego State University (SDSU) to invest these funds in three projects, two of which would involve a grant to the San Diego River Park Foundation and a third for a project that is being developed with SDRC, SDRPF and SDSU. What follows is a brief description of these three projects:

San Diego River Park Foundation:

The San Diego River Conservancy would provide a grants totaling \$35,000 to expand two of the Foundation projects and cover their administrative costs (\$3500)

1. RIVER BLITZ (\$7500 Field Surveys)

The Conservancy would propose to make a \$7500 grant to expand and enhance the Foundations River Blitz program. Twice a year teams go out and survey the River. These teams of trained volunteers use handheld GPS (Global Positioning System) units to record the precise location of any trash. The trash is also photographed with a digital camera. The volunteers also record selected invasive non-native plants, graffiti, and water quality problems. The surveys are conducted in April and October to create a snapshot of the river from Lakeside to the Ocean. Additionally, once per year the upper portion of the river is surveyed.

The data collected is used to coordinate future trash removal efforts. This work is done in partnership with public agencies, landowners and community-based organizations. Each year the data is used to prepare a Health of the River report. The report is made publicly available. The data is also placed in a web-based clearinghouse so the partners can access and use the data for planning purposes.

2. CLEAN AND GREEN VOLUNTEERS (\$24000 River Clean-Ups)

This grant would fund 12 River Clean-Ups. The Clean and Green Volunteers do the heavy work of removing trash from along and in the River. Events are organized on a regular basis. Typically, these events have between 50 and 125 volunteers. The clean-up locations are based upon data collected through the semi-annual River Blitz field surveys as well as reports received from the public. The Clean and Green Team also works on controlling the problem at its source by providing information about the importance of a clean and healthy river to volunteers and the public. The Team works with property owners and public agencies to address chronic problems.

Additionally, an Action Response Team (ART) stands ready to respond to join urgent needs or smaller projects where a few people can really make a big difference.

San Diego River Conservancy, San Diego River Park Foundation and San Diego State University

3. SAN DIEGO RIVER WATERSHED DATA COLLECTION and RESTORATION PROGRAM (\$40,000)

The San Diego River Watershed data Collection and Restoration Program is collaboration between SDRC SDSU SDRPF are pursuing the development of a project that would address multiple objectives: assist the implementation of the San Diego River Watershed Management Plan; San Diego River Conservancy's Strategic and Infrastructure Plan, and the establishment of a network of wireless environmental sensors. This program would compliment the Foundation's successful, volunteer-driven water quality monitoring and data collection program, as well as their web-based clearinghouse. The project would include the following components:

- Stakeholder engagement: Engage watershed stakeholders, resource and regulatory agencies, and interested parties to inform development, implementation, and management of the Program.
- Data use plan: Identify the data gaps and the end users that have a need for watershed data, the data format required by the end users, and the ultimate uses for the data.
- Data collection plan: Identify the most efficient and effective methods for collecting the data required by the end users, identify sites, and create experimental design
- Maintenance/funding plan: Coordinate with data users to identify a long-term funding strategy for the program.
- Outreach and outreach plan: Formulate a plan for sharing the data with the end users, including the general public.

The San Diego River Conservancy is willing to assume responsibility for oversight and management of the SEP. Moreover, the aforementioned projects are consistent with its San Diego River Conservancy Act. I appreciate any consideration you may give to this proposal


Michael Nelson
Executive Officer

State of California
San Diego River Conservancy

EXECUTIVE OFFICER'S REPORT
Meeting of January 8, 2009

ITEM: 11

SUBJECT: **SDRC LOGO DESIGN**

Presentation:
Tanya Brederhopt, Artefact Design