



**CWN**  
Carlsbad Watershed Network

**Member Organizations**

March 3, 2008

Agua Hedionda Lagoon  
Foundation

Eric Becker

Batiquitos Lagoon Foundation

Regional Water Quality Control Board

Buena Vista Lagoon  
Foundation

9174 Sky Park, Suite 100

Canyons Network

San Diego, CA 92123

Cottonwood Creek  
Conservancy

Subject: TO R9-2008-0004

Buena Vista Lagoon Sewage Spill

The Escondido Creek  
Conservancy

Dear Mr. Becker:

Resources Conservation  
District of Greater San Diego,  
County

These comments on the Tentative Order are made on behalf of the Carlsbad Watershed Network (CWN). CWN is a coalition of organizations whose goal is "To protect, restore and enhance the quality and beneficial uses of water, habitats, and other natural resources of the watersheds of the Carlsbad Hydrologic Unit (CHU) and the adjacent coastal shoreline." The Carlsbad Hydrologic Unit comprises seven watersheds of streams in coastal north San Diego County- including Buena Vista Creek.

Preserve Calavera

San Elijo Lagoon  
Conservancy

To that end in 2003 we prepared and issued the "Carlsbad Watershed Management Plan," which documents current conditions of the hydrologic unit and proposes recommendations and action plans.

Last spring Buena Vista Lagoon experienced a disastrous sewer spill, a spill that could have been avoided. We appreciate that the cities of Vista and Carlsbad worked diligently to reduce the impacts of this spill once it occurred. We also appreciate that Vista took the hard step of a major increase in sewer rates in order to move up the schedule for replacing this segment of the sewer line. However, the RWQCB staff report makes it clear that there were numerous warning signs that such a spill would occur. Previous spills and technical analyses all identified concerns with the aging ductile iron pipes in highly corrosive soil. The immediate concern now is corrective action to address the specific impacts on Buena Vista Lagoon. But we are also concerned about the broader issue of aging sewer infrastructure that places all of our coastal waters at risk. We believe that further preventive action is needed. Please- let's not wait for the next avoidable sewer spill to address this issue.

The following are several general recommendations, followed by comments on the proposed Tentative Order related to Buena Vista Lagoon.

*Mission: To protect, restore, and enhance the quality and beneficial uses of water, habitats, and other natural resources of the watersheds of the Carlsbad Hydrologic Unit and the adjacent coastal shoreline.*

## Preventive Action Recommendations

1. Establish timetables and budgets for replacement of aging sewer infrastructure based on risk of failure and impacts on the watershed- not the vagaries of local agency funding and shifting priorities that puts sewer infrastructure low on the priority list.
2. Include more stringent requirements for monitoring sewer conditions - particularly in aging force main segments where risk is high. Human inspection alone has failed to protect our watersheds.
3. Tie severity of fines and penalties to compliance with an acceptable, established replacement and monitoring program. The cities of Vista and Carlsbad moved up their replacement schedule for this particular sewer segment as part of a negotiated settlement. It needs to be clear that failure to have a realistic replacement plan, and failure to comply with such a plan, will result in greater fines and penalties.
4. Require all local jurisdictions to improve emergency response plans- including better documentation of as-built conditions, staff reporting and contracting for technical support services.

## Comments on Tentative Order

1. Add a specific requirement for an improved monitoring system of the impacted force main segment. In the best case it will still be years before this segment is replaced- leaving the lagoon at risk for more spills. The current system of a daily human observation failed to detect this spill.
2. Add a specific requirement to find and make accessible complete as-built system plans by date certain. Failure to locate such plans in a timely manner increased the amount of this spill.
3. Item 1.a does not specify a time period for compliance. The key issue is actual completion of the construction project to replace this segment of the force main. A plan and budget alone does not assure that the construction is actually done, or done within a reasonable period of time. The public notice talks about a time frame, but this is not included in the actual language of the TO.
4. Item 2.b describes the standard SEP process. We are very supportive of the planned project to restore the Buena Vista Lagoon. We recognize that this \$ 50-\$100M unfunded project is still years away, and we are fully committed to supporting this effort as long as it takes. Over 1,700 of our local wildlife died from this sewer spill. The protected Light-footed Clapper Rail habitat area was impacted. We would like to see at least some of these funds result in a direct, real benefit to the wildlife resources of Buena Vista Lagoon.

Thank you for your consideration of these comments. We look forward to working with the SDRWQCB toward a future with fewer sewer spills, and a response to spills that does the best possible job of protecting our coastal water resources.

Sincerely,

Brad Roth

Acting Secretary, Carlsbad Watershed Network

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