

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - SAN DIEGO REGION
WATERSHED PROTECTION PROGRAM**

FACILITY INSPECTION REPORT

FACILITY: Del Sur/Unit 14 **INSPECTION DATE/TIME:** 12/22/2010; 1400

WDID/FILE NO.: 9 37C328390

REPRESENTATIVE(S) PRESENT DURING INSPECTION:

NAME: <u>Christina Arias</u>	AFFILIATION: <u>San Diego Water Board</u>
NAME: <u>Jody Ebsen</u>	AFFILIATION: <u>San Diego Water Board</u>
NAME: <u>Kurt Bruskotter</u>	AFFILIATION: <u>Black Mountain Ranch LLC</u>
NAME: _____	AFFILIATION: _____
NAME: _____	AFFILIATION: _____

Black Mountain Ranch LLC
NAME OF OWNER, AGENCY OR PARTY RESPONSIBLE FOR DISCHARGE

16010 Camino del Sur, SD, CA 92127
OWNER MAILING ADDRESS

Kurt Bruskotter (858) 792-7061
OWNER CONTACT NAME AND PHONE #

FACILITY OR DEVELOPER NAME (if different from owner)

Camino del Sur and Del Sur Ct TB: 1169B5
FACILITY ADDRESS

FACILITY OR DEVELOPER CONTACT NAME AND PHONE #

APPLICABLE WATER QUALITY LICENSING REQUIREMENTS:

- | | |
|---|---|
| <input type="checkbox"/> MS4 URBAN RUNOFF REQUIREMENTS | <input type="checkbox"/> GENERAL OR INDIVIDUAL WASTE DISCHARGE REQUIREMENTS OR NPDES |
| <input checked="" type="checkbox"/> CONSTRUCTION GENERAL PERMIT | <input type="checkbox"/> GENERAL OR INDIVIDUAL WAIVER OF WASTE DISCHARGE REQUIREMENTS |
| <input type="checkbox"/> CALTRANS GENERAL PERMIT | <input type="checkbox"/> SECTION 401 WATER QUALITY CERTIFICATION |
| <input type="checkbox"/> INDUSTRIAL GENERAL PERMIT | <input type="checkbox"/> CWC SECTION 13264 |

INSPECTION TYPE (Check One):

- "A" TYPE COMPLIANCE--COMPREHENSIVE INSPECTION IN WHICH SAMPLES ARE TAKEN. (EPA TYPE S)
- "B" TYPE COMPLIANCE--A ROUTINE NONSAMPLING INSPECTION. (EPA TYPE C)
- NONCOMPLIANCE FOLLOW-UP--INSPECTION MADE TO VERIFY CORRECTION OF A PREVIOUSLY IDENTIFIED VIOLATION.
- ENFORCEMENT FOLLOW-UP--INSPECTION MADE TO VERIFY THAT CONDITIONS OF AN ENFORCEMENT ACTION ARE BEING MET.
- COMPLAINT--INSPECTION MADE IN RESPONSE TO A COMPLAINT.
- PRE-REQUIREMENT--INSPECTION MADE TO GATHER INFO. RELATIVE TO PREPARING, MODIFYING, OR RESCINDING REQUIREMENTS.
- NO EXPOSURE CERTIFICATION (NEC) - VERIFICATION THAT THERE IS NO EXPOSURE OF INDUSTRIAL ACTIVITIES TO STORM WATER.
- NOTICE OF TERMINATION REQUEST FOR INDUSTRIAL FACILITIES OR CONSTRUCTION SITES - VERIFICATION THAT THE FACILITY OR CONSTRUCTION SITE IS NOT SUBJECT TO PERMIT REQUIREMENTS.
- COMPLIANCE ASSISTANCE INSPECTION - OUTREACH INSPECTION DUE TO DISCHARGER'S REQUEST FOR COMPLIANCE ASSISTANCE.

INSPECTION FINDINGS:

Y WERE VIOLATIONS NOTED DURING THIS INSPECTION? (YES/NO/PENDING SAMPLE RESULTS)

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I. COMPLIANCE HISTORY / PURPOSE OF INSPECTION

On December 22, 2010, Christina Arias and Jody Ebsen of the San Diego Water Board performed a routine inspection of the Del Sur Unit 14 construction site. This site is part of a master development of residential and commercial buildings known as Black Mountain Ranch, roughly 1,500 acres in size, and under construction since June 2004. This site is located in the Rancho Santa Fe area of the City of San Diego, west of I-15 and abuts Lusardi Creek to the south. Photos of the site are attached and identified as Figures 1-9.

Rain gauges onsite recorded approximately 6 inches of rain from this series of storms, which spanned several days, at the time of inspection (according to Mr. Bruskotter). The NOAA rain gauge at Poway recorded 6.37 inches of rain between 12/16/10 and 12/22/10.

II. FINDINGS

1. This phase of development is known as Del Sur Unit 14. This site is approximately 30 acres in size, all of which is in the rough grading stage. A berm was being constructed at the site perimeter to temporarily detain the storm water. At the time of inspection, permanent detention basins had not been completed.
2. A silt fence was placed around the perimeter of the construction site. No erosion control BMPs were identified.
3. Newly finished houses are located upstream of this site and contributed storm water run-on to this construction area. This area has a gradual slope towards Lusardi Creek, which is tributary to San Dieguito River and lagoon.
4. The berm at the perimeter that was used to temporarily detain the storm water was overwhelmed by recent storms. Sediment-laden storm water breached the berm in at least two places and entered Lusardi Creek (Figures 4-9).
5. The discharger placed visqueen at the locations of both breaches in order to prevent the berm from further eroding, but was ineffective.

III. RECOMMENDATIONS AND ADDITIONAL COMMENTS

1. Given the size of the construction site, volume of disturbed sediment, and proximity to Lusardi Creek, the site lacks adequate sediment and erosion control BMPs.
2. Sediment control basins can be used provided they are designed with adequate capacity to capture and treat sediment-laden storm water generated from the site. Implementation of sediment basins should have been done at the onset of rough grading, as described in the SWPPP Site Maps (see Exhibit Showing

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Temporary BMPs for "Grading and Land Development Phase" for Black Mountain Ranch North Village Unit 14, dated June 30, 2010.

3. Run-on from upstream development contributed to the breach. BMPs should be implemented to accommodate run-on volume and prevent erosion on the site.
4. Page 24 of the SWPPP states that there is no anticipated run-on to the project; therefore, no measures are applicable. The discharger must amend the SWPPP to add in proper measures to accommodate run-on because run-on was a major factor in the illegal discharge.
5. Erosion control BMPs should be implemented at the site including on all slopes.
6. These findings will be used to evaluate compliance with Order No. 2009-0009-DWQ.
7. This site is considered Risk Level 1 because it was an existing project under Order No. 99-08-DWQ. The Risk Level should be re-evaluated given the potential for discharges and negative impacts to the adjacent creek.

IV. SIGNATURE SECTION

Christina Arias		12/22/2010
STAFF INSPECTOR	SIGNATURE	INSPECTION DATE
Eric Becker		1/3/11
REVIEWED BY SUPERVISOR	SIGNATURE	DATE

SMARTS:

Tech Staff Info & Use	
Application ID.	
WDID	9 37C328390
Inspection ID	2009852
Violation ID	843117

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Sites of two recent breaches

Figure 1. Construction site; looking south at Lusardi Creek



Berm that will eventually be used as permanent storm water detention feature

Figure 2. Construction site; looking east from Camino del Sur

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Storm water detention basin used to detain offsite run on from upstream development

Figure 3. Construction site looking northeast



Note slopes have no erosion control

Figure 4. Berm used to detain storm water

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Figure 5. Construction site looking upstream from location of breach



Sediment from construction site has entered Lusardi Creek

Figure 6. Foot of berm

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Figure 7. Location of second breach



Note discoloration of storm water from site mixing with creek

Figure 8. Construction site discharge entering Lusardi Creek

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Note silt fences are underwater.

Figure 9. Construction site discharge entering Lusardi Creek