

SAN DIEGO UNIFIED PORT DISTRICT

MEMORANDUM

Date: September 19, 2019

To: Board of Port Commissioners

Via: Jason H. Giffen
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From: Allison Vosskuhler
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Subject: Informational update related to vessel sewage and vessel maintenance complaints around San Diego Bay

The purpose of this memo is to provide information to the Board related to recent discussions regarding potential illicit discharges of wastewater, sewage and other materials from recreational and commercial vessels into San Diego Bay.

Recently, the District received notices of potentially illegal releases of untreated or partially treated wastewater or sewage from recreational and commercial vessels at the anchorages, moorings and marinas within San Diego Bay. Vessel sewage-related concerns were also recently raised during the public comment period of the Port Master Plan Update item at the September Board of Commissioners meeting. Complaints have also been received regarding the maintenance of vessels at berth in sportfishing landings and in marinas that have the potential to release pollutants to San Diego Bay, which is strictly prohibited under existing law. District staff has met with the Port Tenants Association, marina managers, and private individuals regarding these issues on several occasions over the past year. Due to the number of complaints and severity of the issues, an interdepartmental team including Environmental Protection, Harbor Police, Legal, and Real Estate has been meeting to identify possible additional action(s) related to prevention and enforcement.

Potential sewage discharges from vessels have been investigated by Environmental Protection staff and Harbor Police. However, source identification has been challenging since the discharges are often occurring early in the morning or at night when they are not easily observed. Wind and tidal action also quickly move the discharge away from the source making the identification of a responsible party difficult.

Discharging black water (wastewater from toilets) in San Diego Bay is illegal and threatens the safe recreational use for people visiting the Bay and wildlife habitat. District

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staff is evaluating vessel discharge prevention programs that are in effect in other areas, such as placing dye tablets in holding tanks to better identify illegal discharges. Staff is also reviewing potential modifications to the District's ordinances to maximize enforcement mechanisms.

As set forth above, the District has also received complaints related to top-side maintenance of boats while at dock. Maintenance activities can include welding or spray painting on the exterior of a vessel, exterior sandblasting, and any repair work. Due to the proximity of the Bay, wind and daily ocean breezes, as well as potentially inadequate worker training related to pollution prevention best management practices (BMPs) the use of such BMPs (i.e. protective covers, shrouds, or tarps) in many cases may be insufficient to prevent all illegal discharges during maintenance activities. There are also multiple air quality, noise and fire safety hazards created by this type of major maintenance work.

In the past fiscal year, District staff has issued several citations for illegal discharges related to major maintenance of vessels. Often, the enforcement is in response to a report and where staff observes clear evidence that an illegal discharge has occurred, and a responsible party is identified. However, such clear evidence is not always available. Accordingly, Port staff is evaluating whether certain categories of maintenance should be done solely in a boatyard where the proper permits and controls are in place to address those hazards, employee safety, and pollution.

To be clear, the District does have policies and ordinances in place prohibiting sewage and other pollution discharges from vessels and takes enforcement actions whenever violations appear to have occurred. In addition, marinas and sportfishing facilities also have rules prohibiting sewage and other pollution discharges from vessels within their facilities. As set forth above, staff is evaluating additional potential approaches to eliminate these issues as part of the District's continued efforts to improve water quality in San Diego Bay.

Staff plans to discuss this item further with the Board in October, as vessel pollution will be a part of an agenda item related to copper reduction policy measures.

If you have any questions, contact Allison Vosskuhler at (619) 686-6434 or via email avosskuhler@portofsandiego.org, or Jason Giffen at (619) 686-6473 or via email at jgiffen@portofsandiego.org.