

Sediment and Sediment Runs Over Into Lagoon

by Lisa Ross

It started out as a simple \$200,000 road paving job, or so Rudi Southerland and his neighbors thought. But, ten years later, Rudi found himself in front of a state water quality board last week describing how the City of San Diego road project in his neighborhood became a million dollar environmental nightmare on Elm Street.

For 45 years, Rudi's family has lived quietly in an historic corner of Carmel Valley at the foot of Carmel Mountain Preserve, along a dusty rutted dirt road called Arroyo Sorrento Road. The neighborhood is as green as it gets—a rural enclave of iconoclastic denizens that includes artists, professors, writers and retired people, and boasts an organic vegetable farm amidst an architectural potpourri of country homes, large and small.

For years, the San Diego fire fighter and his neighbors have known that during the winter, the run-off from their dirt road was not only pouring into Carmel Valley Creek, but filling storm drains and catch basins near El Camino Real to the brim with siltation. They also suspected that the sediment overflowed into Los Penasquitos Lagoon, already one of the six most degraded wetlands in the county.

And so, they were not surprised when the San Diego Regional Water Quality Board, the state agency responsible for enforcing California's Clean Water Act, called the city on the carpet during a hearing last week for failing to fix the problem—namely, paving the road.

They were surprised when the state board not only cited the city a whopping \$527,000 penalty for environmental violations resulting from Arroyo Sorrento run-off, but board members also chastised city officials for citizen abuse.

For the Southerland family, the long and winding dirt road story began in 1958 when the Arroyo Sorrento area was annexed by the city of San Diego. At the time, Rudi told the water quality board members, the property owners living along the road were happy to give the city the 6000 foot right-of-way because they expected that the road would be maintained. And just maybe, the city might pave it one day.

But, not a lot changed except people's tax bills. Maintenance was scattered—Rudi's father continued to pull cars out of muddy ditches—and the paving never happened. He likes to say that he pays city taxes to live at country standards.

And that's because the City of San Diego doesn't pay for roads. What the city does do is set street standards, manages the project and presents a bill to homeowners or builders. And so, after years of choking on dust and driving over ruts that challenged the toughest SUV's, the

Arroyo Sorrento homeowners decided to assess themselves to pay for paving the road.

Along with the neighbors, Rudy's family threw \$17,000 into the pot and they employed outside engineers to expedite the process, at the city's suggestion, to draw plans and wind their way through a labyrinth of permitting. That was a decade ago.

The answer to why Arroyo Sorrento Road remained a dirt road oozing into Carmel Valley Creek in rainy season depends on who is pointing the finger. City officials told the water board that the road would have been paved years ago if the cranky residents agreed to any number of solutions proposed by the city. City officials also say that there is no proof that the sediment that landed in Carmel Creek ever made it downstream to the lagoon.

But, astonished commissioners listened intently as homeowners described a lengthy and abusive bureaucratic process that ballooned a simple \$200,000 paving job into a gold-plated project by requiring a 60-foot wide asphalt street replete with sidewalks, gutters and blazing streetlights to meet city road standards. If the Arroyo Sorrento residents wanted to pave their road, the thirty-nine property owners would have to fork over \$3 million to destroy the rural ambiance of their neighborhood. Gridlock.

Over the past five years, animosity between the homeowners and the city escalated into Cold War proportions as tempers flared and frustration grew over failure to reach consensus on a solution. At one point the city offered to return the road. And all the while, sediment rolled down the street, into the storm drains, piling building high in Carmel Creek.

By the time city officials finally caved to the notion that rural neighborhoods ought to have rural roads, a developer began building a subdivision at the end of Arroyo Sorrento Road that required a real street. Within months a new rural 20-foot wide road was approved—a feat homeowners could not achieve in ten years—but not before the last rains washed the road into Carmel Creek once again. This time the clean-up crew took 20 days to dig out the sediment.

And so this is how a \$200,000 road ended up costing the taxpayer over a million dollars in fines and clean-up costs and why the state's Regional Water Quality Board slapped city officials not only for environmental degradation, but citizen degradation. The city stood accused of standing on bureaucratic principle instead of fixing a clear environmental problem that had a simple solution.

Rudi Southerland was not interested in war or retribution or fines—he just wanted to pave the road. If only government was so simple.