

**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**STAFF REPORT FOR REGULAR MEETING OF SEPTEMBER 10, 2004**

Prepared on August 17, 2004

**ITEM NUMBER: 28**

**SUBJECT: Executive Officer's Report to the Board**

Brief discussion of some items of interest to the Board follows. Upon request, staff can provide more detailed information about any particular item.

**Watershed and Cleanup Reports**

**REGULATION SUMMARY OF  
JUNE/JULY 2004**

[Sandy Cheek 805/542-4633]

Orders

General Order ROWDs Received	2
General Order Requirements Pending	13
Individual Order ROWDs Received	1
Individual Order Requirements Pending	7
Inspections Made	43
Self-Monitoring Reports Reviewed (WB)	225
Self-Monitoring Reports Reviewed (CB)	15
Stormwater Reports Reviewed	10

Enforcement

Non-Compliance Letters Sent:	
NPDES Program	3
Non-Chapter 15 WDR Program	10
Chapter 15 Program	2
Unregulated	2
Stormwater	15
CAOs Issued	1
ACL Complaints	4

**WATER QUALITY CERTIFICATIONS**

[Sandy Cheek 805/542-4633]

In general, staff recommends "Standard Certification" when the applicant proposes adequate mitigation. Measures included in the application must assure that beneficial uses will be protected, and water quality standards will be met.

Conditional Certification is appropriate when a project may adversely impact surface water quality. Conditions allow the project to proceed under an Army Corps permit, while upholding water quality standards.

Staff will recommend "No Action" when no discharge or adverse impacts are expected. Generally, a project must provide beneficial use and habitat enhancement for no action to be taken by the Regional Board. A chart on the following page lists applications received from June 1, 2004 to July 31, 2004.

## WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED FROM JUNE 1, 2004 THROUGH JULY 31, 2004

County	Date Received	Applicant	Project Description	Receiving Water	Project Location	Action Taken
San Luis Obispo	June 4, 2004	Sam Balakian, SVP Winery	SVP Winery Creek Bank Restoration	Estrella River to Salinas River	South of Shandon	Complete
San Luis Obispo	June 4, 2004	Ed Palmer, Allen Little Custom Homes	Phillips Pointe Subdivision	Carpenter Canyon Creek	Northeast of Arroyo Grande	Pending
Monterey	June 4, 2004	Walt Dwelle	Dwelle Retaining Walls	Unnamed seasonal drainage	Carmel Highlands	Pending
San Luis Obispo	June 8, 2004	John Woulbroun	Woulbroun Creek Crossing	Nacimiento River and Salinas River	Paso Robles	Complete
San Luis Obispo	June 9, 2004	Bridget Fraser	Reservoir 1 Transmission Line Relocation	San Luis Obispo Creek	San Luis Obispo	Complete
Santa Barbara	June 15, 2004	Nigel Copley	Copley Family Residence, Drainage Culvert	Romero Creek	Montecito	Complete
Santa Barbara	June 16, 2004	Jack Maxwell	4865 Vieja Drive Wetland Restoration	Atascadero Creek	Santa Barbara	Complete
San Luis Obispo	June 18, 2004	Mike Hall	Walters Creek Riparian Restoration Project	Walters Creek	San Luis Obispo	Complete
San Benito	June 18, 2004	Pacific Gas and Electric	Line 103, San Benito River Repair Erosion Project	San Benito River	Hollister	Complete
San Benito and Santa Clara	June 21, 2004	Greg Lyman, Wildlands Inc.	Pajaro River Mitigation Bank	Millers Canal	Gilroy	Pending
Monterey	June 24, 2004	Curtis Weeks, Monterey County Resources Agency	Changes to the Salinas River Channel Maintenance Protocol 401 Cert.	Salinas River	Monterey	Complete
San Luis Obispo	June 25, 2004	Glen Priddy, San Luis Obispo DPW	Old Oak Park Road, Emergency Repair Project	Meadow Creek	Arroyo Grande	Complete
Santa Clara	June 25, 2004	Joe Root, Corde Valle	California Tiger Salamander Pond Creation	West Branch of Llagas Creek	San Martin	Complete
Santa Clara	June 21, 2004	Santa Cruz County Resource Conservation District	Restoration Permit Coordination Program	All watersheds and waterways in Santa Cruz County	San Martin	Pending
San Luis Obispo	June 25, 2004	Paul Viborg, Viborg Sand and Gravel	Sand and Gravel Operation to supply Northern San Luis Obispo County	Salinas River	Templeton	Complete
San Luis Obispo	June 29, 2004	Roger Tompkins, H.W. Hertel and Sons	Woodridge Development Project, Tract 2525	Paloma Creek	Atascadero	Pending
San Luis Obispo	June 29, 2004	Jim Reed	Paso Robles Street Project	Salinas River	Paso Robles	Pending
San Luis Obispo	June 29, 2004	R.W. Hertel and Sons	Hertel Ag Road Culvert	Rinconada Creek	Santa Margarita	Complete

County	Date Received	Applicant	Project Description	Receiving Water	Project Location	Action Taken
Santa Clara	July 1, 2004	Stephen Grace, Granite Construction Company	Freeman Quarry: Correction of Prohibited Fill Placement	Tick Creek	Gilroy	Pending
San Luis Obispo	July 6, 2004	Peter Jossierand, JRM Enterprises, Inc.	San Diego Way Apartments	Paloma Creek	Atascadero	Complete
Santa Barbara	July 2, 2004	Santa Barbara School District, Facilities Department	San Marco High School, Removal and Replacement of Contaminated Soil	Hospital Creek	Santa Barbara	Pending
Monterey	July 12, 2004	Robert W. Floerke, Department of Fish and Game	Moss Landing Habitat Enhancement Project	Elkhorn Slough, Bennett Slough	Moss Landing Wildlife Area	Pending
Santa Barbara	July 14, 2004	John Bridley	Protective Sand Berm at Ledbetter Beach	Pacific Ocean	Santa Barbara	Pending
San Luis Obispo	July 15, 2004	Bowden Ranch, LP	Bowden Ranch Estates	San Luis Obispo Creek	San Luis Obispo	Pending
San Luis Obispo	July 15, 2004	Cambria CSD	CCSD Water Line Easement	Unnamed drainage to Pacific Ocean	San Luis Obispo	Pending
Santa Cruz	July 20, 2004	Robert Rittenhouse	224 Either Way	San Lorenzo River	Boulder Creek	Pending
San Luis Obispo	July 22, 2004	Hole-in-the-Clouds, LLC	Hole-in-the-Clouds Townhomes	Avila Beach	San Luis Obispo Creek	Pending
Monterey	July 21, 2004	Angus Jeffers, Esq.	Big Sur River Mouth Stilling Wells	Andrew Molera State Park	Big Sur River	Pending
San Luis Obispo	July 27, 2004	Karl Wittstrom, King Ranch LLC	King Ranch, Eva Road Culverts	Ranchito Canyon, 7 miles NE of San Miquel	Ranchito Canyon, tributary to Estrella Creek	Pending

## Watershed Reports

### Los Osos Wastewater Project Status Report [Sorrel Marks 805/549-3695]

The following is a brief summary of issues relating to the Los Osos wastewater project since the last update provided in the July 9, 2004 Staff Report - Consideration of Enforcement Alternatives for Baywood Park/Los Osos.

On August 11, 2004, a de novo hearing regarding the Los Osos Community Services District Wastewater Project was held before the California Coastal Commission in San Pedro. By seven to one vote, the Coastal Commission **approved the Coastal Development Permit** for the Los Osos Community Services District (CSD) Wastewater Project.

Attending the hearing on behalf of the Regional

Board were Chairman Jeff Young, Executive Officer Roger Briggs, Senior Engineering Geologist Gerhardt Hubner, Staff Counsel Lori Okun and Regional Board Project Manager Sorrel Marks. Chairman Young provided opening comments and remarks, and Executive Officer Roger Briggs provided a six-minute technical presentation, including background of the Regional Board's 30 year involvement with water quality issues facing the community, and the need for this project to move forward. Staff spent considerable time the last four months in preparation, and in anticipation of this August 11<sup>th</sup> hearing.

**Attachments No. 1-6** are letters of support from a variety of State and Federal Agencies, and the Morro Bay National Estuary Program for the Los Osos CSD's wastewater project. Representatives from U.S. EPA, State Board, and California Departments of Health Services and Fish and Game spoke in favor of the project.

Approximately 100 community members attended, and roughly split (for and against) on their views of the project.

Staff is scheduled to meet with the CSD on August 20<sup>th</sup> to discuss a revised project timeline, and construction start date (anticipated to be Spring 2005). As part of the Coastal Commission's conditions of approval, the CSD must now complete and submit several plans and studies before a permit is actually issued to the CSD. It is expected that work will take a few months to complete and receive approval from the Coastal Commission. In addition, the CSD must redraft/redesign several of the collection system and pump station components, prior to the CSD being able to re-advertise the project and issue a Notice to Proceed for Construction. Furthermore, the CSD must also request an extension of its \$65.4 million dollar State Revolving Fund Loan.

Nevertheless, approval of this Coastal Development Permit by the Coastal Commission is viewed by Regional staff as great news, and a very significant step forward in moving the Los Osos wastewater project forward.

Land Trust Low-Threat Non-Industrial Timber Management Plan Inspection [Bill Arkfeld 805/542-4627]

During the July 9, 2004 Board meeting, the Board directed staff to re-inspect the Land Trust Non Industrial Timber Management Plan (NTMP) (NTMP # 1-01NTMP-032 SCR). The purpose of the inspection was to confirm, now that timber harvest activities are complete, that the operation was concluded as expected.

On Thursday, July 22, 2004, Regional Board staff visited the Land Trust NTMP with forester Bill Vaughan. At the time of this inspection, harvesting activities had been completed and all wet weather preparations were in place. Skid trails were slash packed and erosion control structures on roads and landings are constructed. Areas of past landslides were verified to not pose a significant potential to discharge sediment to a watercourse. Staff also verified that the nearest watercourse, the upper portion of an intermittent drainage, is over 50 feet from any timber harvest activities.

Staff concludes that this portion of the Foxx NTMP posed a low threat to water quality and no further action by the Regional Board is recommended.

Estrada II Low-Threat Non-Industrial Timber Management Plan Inspection [Bill Arkfeld 805/542-4627]

During the July 9, 2004 Board Meeting, the Regional Board members directed staff to re-inspect the Estrada Non-Industrial Timber Management Plan # 1-98NTMP-022 SCR. The purpose of the inspection was to verify that all the monitoring points required by Monitoring and Reporting Program # R3-2004-0076 (MRP) were appropriately selected.

On Thursday, July 22, Regional Board staff inspected the Estrada NTMP with forester Bill Vaughan. Regional Board staff toured the site and checked all of the roads, crossings, landslides and other features identified in the NTMP. The forester had decided to remove two crossings previously designated in the plan because less disruptive ways to yard trees in these areas were developed. Photopoint monitoring of Crossings 16, 37 and 42 were added to the MRP because of these changes. All of the other monitoring criteria are as proposed for this item.

Regional Board staff has verified that the proposed entry into this area is a low threat to water quality and that Resolution #R3-2004-0076 and Monitoring and Reporting Program #R3-2004-0076 are appropriate.

Foxx Non-Industrial Timber Management Plan Inspection [Bill Arkfeld 805/542-4627]

During the July 9, 2004 Board Meeting, the Board directed staff to re-inspect the Foxx Non Industrial Timber Management Plan (NTMP # 1-96NTMP-018 SCR). The purpose of the inspection was to confirm, now that timber harvest activities are complete, that the operation was concluded as expected.

On August 10, 2004, Regional Board staff visited the Foxx NTMP with forester Bill Vaughan. This

operation involved three (3) acres of moderately sloped land and no watercourses. Regional Board staff recommended a categorical, low-threat waiver for this portion of the NTMP. At the time of this inspection, harvesting activities had been completed and all wet weather preparations were in place. Skid trails were slash packed and erosion control structures on roads and landings were constructed. Staff also verified that the nearest watercourse, the upper portion of an intermittent drainage, is over 25 feet from any timber harvest activities.

Staff concludes that this portion of the Foxx NTMP posed a low threat to water quality and no further action by the Regional Board is recommended.

## Regionwide Reports

Total Maximum Daily Load Program [Lisa Horowitz McCann 805/549-3132]

Current staff efforts focus on the following:

- ◆ Final preparation of TMDLs to be presented to the Regional Board in the next six months (San Luis Obispo Creek Nitrate TMDL, San Luis Obispo Creek Pathogens TMDL, Los Osos Creek Nutrient TMDL, Dairy Creek Dissolved Oxygen TMDL);
- ◆ Completion of TMDL project analyses for nutrients and sediment in Pajaro River Watershed\*, for pesticide TMDLs in Salinas River and Watsonville Sloughs, for pathogens in Watsonville Sloughs, and, for sediment in Aptos and Valencia Creeks;
- ◆ Data collection and analysis and source identification for pathogen TMDLs for several waterbodies in Santa Cruz County, in Santa Maria River and in Salinas River, for nutrient TMDLs in the Salinas River and for lead impairment for Monterey Harbor.

\* Regional Board staff will be presenting draft reports of the TMDLs for sediment and nutrients for the Pajaro River Watershed to stakeholders, via the Pajaro TMDL Advisory Committee, August through November. Staff will incorporate comments and concerns from the stakeholders into the project reports and pursue presentation of these

TMDLs to the Regional Board before the end of this fiscal year (June 2005), if possible.

Additionally, the following ongoing region-wide activities will proceed:

- Bacteria source analysis investigation in irrigated agricultural areas
- Development of sediment assessment protocols
- Geographic Information Systems and Data Management Support

Implementation coordination and tracking for approved TMDLs, including Clear Creek-Hernandez Reservoir Mercury, Morro Bay Sediment, Morro Bay Pathogens, San Lorenzo River Nitrate, and San Lorenzo River Sediment.

Regional Monitoring and Basin Planning [Karen Worcester 805/549-3333]

Monitoring - CCAMP staff are planning and budgeting for startup of full watershed monitoring in January. Coastal confluences monitoring for sediment chemistry and toxicity has been completed, and monthly conventional water quality monitoring is ongoing. Recording probes have been deployed for twenty-four hours at each of our coastal confluence monitoring sites to continuously record dissolved oxygen and temperature levels. This effort provides information on range of oxygen concentrations and water temperature, important in understanding worst case conditions. Contractors have completed fieldwork for our harbor monitoring study.

Karen Worcester, Peter Von Langen, and Matt Thompson met with the Central Coast Ocean Observing System (CenCOOS) Coordinator to discuss the data interests and needs of our agency. CenCOOS will be organizing large scale ocean monitoring in coordination with other ocean observing system organizations across the nation. A surface current monitoring component has already been funded through a substantial grant from the California Coastal Conservancy. Ultimately, the program could provide access to a wide array of data types that could be of use to our agency, including nutrient concentrations, petroleum hydrocarbons, toxic phytoplankton, satellite imagery, etc. One of the challenges for

the program will be to package data in a way that makes it most useful to end users.

Staff has been meeting with agricultural representatives to plan how to best move forward with implementation of the Cooperative Agricultural Monitoring Program. We have shared budgeting tools, laboratory bid packages, and other information to aid them in their efforts to launch their monitoring program. We are also working on tailoring the Surface Water Ambient Monitoring Program Quality Assurance Program Plan template to meet their needs.

Basin Planning – We have drafted the 2004 Triennial Review List for public comment prior to the December Board meeting. Basin Planning items that should have more attention over the next three years include revision of water quality objectives for salts and development of nutrient objectives. Items pending state board action include the nonpoint source policy and riparian policy amendment. The State Board approved the State's nonpoint source enforcement policy on May 20, 2004. This policy is now under review by the Office of Administrative Law (OAL). OAL may complete that review by September 2004. Once the OAL review is final, revision of our regional nonpoint source policy and riparian policy amendment will be completed.

Amendment of Bacteria and Onsite Wastewater Disposal Waiver options are currently under review by legal counsel. Staff is currently revising the Santa Cruz County Memorandum of Understanding associated with management of Onsite Wastewater Disposal Systems.

Three public scoping meetings were held to receive public input on upcoming Basin Plan amendments. Topics included new bacteria objectives, the nonpoint source policy, and updating groundwater basin definitions. Attendance at the meetings was relatively limited. Scoping meetings are intended to be held very early in the Basin Planning process to receive early input from the public.

The Statewide Basin Planning Roundtable has been ranking statewide basin planning priorities; the top two are review and update of groundwater beneficial uses and development and adoption of biocriteria. This group is also examining the "strength and weaknesses" of beneficial use designations for all regions.

Data Management - Document imaging (Fortis) is moving forward slowly. Previously scanned Orders, Monitoring and Reporting Programs, and Standard provisions have been moved into folders in the user database; these documents still need to be fully indexed, checked, and moved into the final database. Two staff are using Fortis routinely and several additional staff have been trained and are scheduled to begin using the system.

A proposal to USEPA has been approved to provide federal contractor Tetrattech with \$60,000 to aid in development of new data management tools for the Central Coast Agricultural Waiver Program. Software will track enrollment and will provide for reporting of management practice implementation. It is intended to be fully integrated with other state database development efforts, and will aid in movement of water quality data into the State Water Resources Control Board's California Integrated Water Quality System Project (CIWQS), the Geo-WaterBody System, CCAMP, and the Surface Water Ambient Monitoring Program.

The web site is still undergoing major upgrade, and data is now ready for a major import to STORET (EPA's Storage and Retrieval System). We are still working with SWAMP (the statewide Surface Water Ambient Monitoring Program) contractors on imports into the SWAMP data management system.

## Cleanup Reports

Underground Tanks Summary Report dated July 29, 2004 [Burton Chadwick 805/542-4786]

**[See Attachment No. 7]**

## Administrative Reports

Presentations and Training [Roger Briggs 805/549-3140]

On July 26 and 27, 2004, Michael Higgins and Sandy Cheek attended the Water Quality Academy's training entitled *Disposal of Non-designated Wastes to Land Systems*. The training addressed the design, operation and maintenance of land disposal systems, including percolation ponds, which are widely used to dispose of treated

municipal wastewater. The training discussed water, salt, and nitrogen balances for land disposal systems in detail, aided by spreadsheet software developed and provided by the instructors. Staff will likely find the training useful for review of this Region's land disposal systems.

On August 16, 2004, we had training in our conference room for several staff on interview techniques to assist their career development.

Eric Gobler and David Athey attended a conference on perchlorate and learned of new and promising tracing techniques that allow determination of the source of perchlorates (e.g., from flare manufacture vs. fertilizer).

## ATTACHMENTS

1. SWRCB/Office of Chief Counsel letter dated August 10, 2004
2. Cal/EPA letter dated August 9, 2004
3. Regional Board letter dated August 2, 2004
4. CA Department of Health Service letter dated July 30, 2004
5. MBNEP letter dated July 28, 2004
6. U.S. Fish & Wildlife Service letter dated July 22, 2004
7. Underground Tanks Summary Report dated July 29, 2004

C/MyDocs/EORep9-04/EOrptSept04/Carol