

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

STAFF REPORT FOR REGULAR MEETING OF FEBRUARY 9, 2007

Prepared on January 12, 2007

ITEM NUMBER: 22

SUBJECT: Executive Officer's Report to the Board

This item presents a brief discussion of issues that may interest the Board. Upon request, staff can provide more detailed information about any particular item.

WATER QUALITY CERTIFICATIONS

[Dominic Roques 805/542-4780]

In general, staff recommends "Standard Certification" when the applicant proposes adequate mitigation. Measures included in the application must ensure 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 pages lists applications received from October 1, 2006, to December 30, 2006.

Water Quality Certification Applications Received From October 1, 2006 Through December 30, 2006

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage ¹	Mitigation	Certified
Eugene & Daymel Shklar, Micheal Frumkin & Christian Falco	Shklar Seawall	Placement of fallen rocks that fell from the existing rock revetment seawall at the base of the seawall at a 1.5:1 slope. The rocks will be grouted into place and the entire wall will be surfaced with shotcrete.	Sunny Cove Beach	Santa Cruz	Monterey Bay, Pacific Ocean	0.024	Restoring access road to pre-construction condition	8-Dec
Alisal Guest Ranch & Resort	Creek Bank Repairs at Alisal Ranch Golf Course	Repair existing golf cart bridge abutments and creek bank failures located along Alisal Creek.	Solvang	Santa Barbara	Alisal Creek	0.9		
Department of Transportation	Repair Culvert Outlet; EA 0N4801;05-SLO-58-PM 37.6	Stabilize the culvert outlet and wingwalls by repositioning existing RSP and installing additional RSP. A 1:1.5 slope would be constructed with RSP. A void under the culvert headwall will be filled with RSP and class-four concrete backfill.	Near Simmler	San Luis Obispo	San Juan Creek	0.023	Caltrans must remove and dispose strewn metal, trash, and concrete debris at least 24 meters downstream of the culvert outlet.	5-Dec

¹ Total Area includes both temporary and permanent impacts to riparian, streambed, and/or wetland environments within federal jurisdiction. Water Board mitigation requirements range from 1:1 for streambed impacts, to 3:1 for wetland impacts and are final upon issuance of certification.

Item No. 22
Executive Officer's Report

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage ²	Mitigation	Certified
Sun Valley Land Development Co.	Sun Valley Land Development	Development of 106.2 acres of residential units, and construction of 2 drainage retention ponds. Improvement of agricultural drainage with a 4 ft bottom width, 3:1 slope, and six 2 ft drops.	Gonzales	Monterey	East branch of Gonzales Slough	0.13		Issued a Denial without Prejudice on 3-Jan because application was incomplete.
Department of Transportation	Repair Drainage System; EA 0G9801; MON-1-PM 45.28	Replace inlet portion of culvert, line entire drainage system, and place RSP at culvert outlet. Voids within original culvert section will be filled with concrete to prepare for culvert lining.	Big Sur	Monterey	Tributary to Post Creek	0.0006	None necessary	20-Dec
Department of Transportation	Repair Drainage Facility; EA 0N5201; MON-1-PM 20.37	Repair metal pipe culvert and add 160 ft downdrain. Water at culvert inlet captured, pumped, and diverted to next cross culvert.	Big Sur	Monterey	Pacific Ocean	0.044	None necessary	20-Dec
Bill & Karen Rameson	Habitat Restoration/Mitigation Plan (APN:083-680-024)	Removal of an earthen dam containing 150 cu yards of fill, replacement of fill material from where soil was originally excavated, recontouring of fill to match original grade/contours, and revegetation of mitigation area with native species.	Gaviota-Hollister Ranch # 73	Santa Barbara	Unnamed seasonal drainage - no major tributary	0.05	Project is mitigation for previous infraction	21-Dec

² Total Area includes both temporary and permanent impacts to riparian, streambed, and/or wetland environments within federal jurisdiction. Water Board mitigation requirements range from 1:1 for streambed impacts, to 3:1 for wetland impacts and are final upon issuance of certification.

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage ³	Mitigation	Certified
Department of Transportation	State Route 101 Operational Improvement	Replacing Sycamore Creek Bridge over a three year period, a culvert extension, the dewatering of Sycamore Creek, and construction of a wetland mitigation site.	Milpas to Hot Springs/ Cabrillo	Santa Barbara	Sycamore Creek	0.094	0.065 acres wetland; 0.111 acres streambed; 0.075 acres riparian	5-Dec
Alisal Guest Ranch & Resort- Dave Lautensack	Alisal Ranch Well Abandonment and Relocation	Project activities include: fill abandon well with clay chips; and construct a new well that will connect to the water system.	Solvang	Santa Barbara	Santa Ynez River	0.21		Withdrawal on 28-Nov
Steve Jesberg	Biofiltration Wetland Project at Soquel Creek Lagoon	Construct a biofiltration wetland to achieve water quality standards sufficient for recreational swimming in the Soquel Creek Lagoon.	Capitola	Santa Cruz	Soquel Creek	<0.001	None necessary	4-Jan-07
Castlerock Development	Oak Ridges Estates- Phase II- IV Public Improvements	Installation of storm drainage facilities (culverts, concrete drainage swales, energy dissipaters, riprap, and fill material) in an effort to maintain historic flows, along with utilities and water lines for the benefit of residential lots and road development.	Atascadero	San Luis Obispo	Drainages of unnamed tributaries to Graves and Morro Creeks	3.54		

³ Total Area includes both temporary and permanent impacts to riparian, streambed, and/or wetland environments within federal jurisdiction. Water Board mitigation requirements range from 1:1 for streambed impacts, to 3:1 for wetland impacts and are final upon issuance of certification.

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage ⁴	Mitigation	Certified
San Juan Oaks, LLC	San Juan Oaks Golf Club	Residential subdivision, ranch estates, affordable housing, a resort, with an 18-hole golf course, and commercial development.	Hollister	San Benito	San Juan Creek	0.26	Wetland & Riparian	
County of Santa Cruz	Graham Hill Road Improvement Project	Widening and improvement of existing road, installation of culverts.	Scotts Valley	Santa Cruz	Zayante Creek	0.061	Wetland & Riparian	
Brad Just, City of Solvang	City of Solvang Sewer Force Main Project	Geotechnical test borings, which will require the drilling truck in the channel. Project includes two test borings to determine the soil type for the alignment of a new sewer line.	Solvang	Santa Barbara	Santa Ynez River	0.0091	None	22-Dec
Santa Barbara County Association of Governments	State Route 154 Group II Improvements Project	Operational improvement at four locations, with the following impacts to water: extension of three culverts and the adjustment of one storm water inlet.	State Route 154	Santa Barbara	Unnamed tributary to Kelly Creek	0.011	0.2 acres Invasive (Scotch broom) removal and native plant mix seeding	

⁴ Total Area includes both temporary and permanent impacts to riparian, streambed, and/or wetland environments within federal jurisdiction. Water Board mitigation requirements range from 1:1 for streambed impacts, to 3:1 for wetland impacts and are final upon issuance of certification.

WATERSHED REPORTS

Update on DeLaveaga Disc Golf Course [Peter von Langen 805/549-3688]

The DeLaveaga Disc Golf Course is located in the upper Arana Gulch Watershed and is the most widely used park operated by the City of Santa Cruz. It is important to minimize erosion in the Arana Gulch Watershed to reduce sedimentation to Arana Gulch, a water body that terminates in the Pacific Ocean at Santa Cruz Harbor. Sedimentation may harm aquatic life in Arana Gulch, hinder the ability of endangered species (e.g., steelhead) to spawn, and increases the frequency of upper harbor dredging by the Santa Cruz Port District.

Because of these concerns, Central Coast Water Board staff has monitored the City's efforts and progress in controlling erosion at the Course. This is the third update of the Course given to the Water Board by staff since December 2005. Water Board staff has confirmed the success of erosion control, sediment control, and significant recovery of native grasses during three inspections since the last update given in the July 7, 2006 Water Board meeting agenda. In an email dated December 21, 2006, Mr. Steve Hammack (City Superintendent of Parks) described improvements in the Course resulting from the City's efforts. The City's efforts in stakeholder involvement, cessation of off-road travel, and erosion and sediment control are described below.

Stakeholder Involvement

The City has developed an outstanding working partnership with representatives

of the DeLaveaga Disc Golf Course Club. This relationship increases environmental awareness among disc golfers and leads to further collaboration on erosion control and restoration projects within the Course. Water Board staff has observed disc golfers working on environmental projects at the Course, such as recycling and restoration efforts. Additionally, the City recently provided a presentation and Arana Gulch tour to Santa Cruz Port District Commissioners. Mr. Hammack relayed that Port District Commissioners found the tour and presentation valuable.

Cessation of Off-Road Vehicle Travel at the Course

Some of the past erosion problems resulted from members of the public illegally driving off road vehicles on the Course. The City has taken the following measures that eliminated off-road vehicle access on the Course.

- The City installed a heavy-duty gate on the service road to the "Top of the Mountain" trail.
- The City installed numerous log barriers along the perimeter of the disc golf course, roadway, and parking lot.
- Partnered with DeLaveaga Disc Golf Course Club members to actively deter off-road vehicle activities.
- Additional ranger patrols initiated to deter prohibited activities, including off-road vehicle access.

These actions have stopped excursions of off road vehicles on to the Course and thereby allowed the City's re-vegetation efforts to succeed.

Successful Implementation of Erosion and Sediment Control Measures

The City made great strides to reduce erosion at the Course. Beginning in the early fall of 2005, the City implemented demonstration restoration projects by tearing up the hard pack within disturbed areas on the Course. Native seed mix and mulch were distributed on these areas and fiber rolls were staked around the periphery. The City placed straw wattles, hay bales, and pea gravel along the unpaved parking lot. As part of the major restoration efforts, some areas were removed from play to allow native grasses to recover. Efforts to designate wood chip pathways through the golf course, and accompanying information signs, were successful in minimizing off path disturbances and preventing erosion from reoccurring.

The latest Water Board staff inspection, on December 13, 2006, revealed native grasses throughout the golf course. A two-acre area (vicinity of holes 13-16) prone to erosion during the 2004/05 rainy season and closed to disc golfers for restoration was covered in native grasses. Likewise, areas between the "Top of the World" and the parking lot are now extensively covered with native grasses.

The City has finalized the Integrated Watershed Restoration Program (IWRP) grant agreement (through the California Coastal Conservancy). The IWRP project funded the design of long-term erosion control and restoration projects on a portion of the Course (gully and playing area in the vicinity of the parking lot). Balance Hydrologics completed the design for a long-term solution to erosion at this drainage. Balance Hydrologics and the City signed the IWRP restoration grant contract for

plans and specification development. The City plans on implementing IWRP plans as early as the Fall of 2007 and is seeking assistance in funding these projects.

It is the opinion of Water Board staff; Brian Foss, Santa Cruz Port District Director; and Barry Hecht, Senior Principal of Balance Hydrologics, that the reduced hard pack and increased vegetation in the area upslope from the parking lot have decreased flows to the historically eroded drainage that flows under the road near the main parking lot and that erosion at the Course is controlled in the interim period prior to IWRP implementation. Because of the lower threat to water quality, Water Board staff does not plan on monitoring the Course as frequently as in the past. Unless the Board requests otherwise, this will be the last update on this issue from staff.

Dalidio Project Wastewater Treatment Plant, San Luis Obispo [Harvey Packard 805/542-4639]

In November 2006, San Luis Obispo County voters approved Measure J, which amended the County's General Plan and enacted zoning to permit development of the Dalidio Ranch. The development will consist of a retail center, up to 60 housing units, a business park, and various other uses. Approval of the project through standard planning processes was previously thwarted at both the city and county levels.

The development will be on land located very near the City of San Luis Obispo's wastewater treatment plant, but because the development will occur outside the City's jurisdiction, the City

will not allow it to hook up to the City WWTP. The developer will therefore build a stand-alone WWTP on the premises to serve the needs of the development. The developer will request waste discharge requirements from the Water Board for the discharge from this WWTP.

Voter-sponsored initiatives are not subject to CEQA. CEQA review is not required for any local permit approvals that are "ministerial." The sponsors of Measure J drafted the initiative to address most specifics of the development in order to avoid any local CEQA review. If the County or other local entity must exercise discretion in reviewing the development, then CEQA compliance would be mandatory even if Measure J attempts to label such decisions as ministerial. Whether any discretionary approvals are required is currently under review.

Since a local initiative cannot interfere with the review and approval authority of a state agency such as the Central Coast Water Board, Measure J does not affect the Water Board's obligation to comply with CEQA. If no local entity prepares and certifies an EIR that analyzes the environmental impacts of the WWTP, then the Water Board will become the CEQA lead agency for the WWTP if the Water Board issues non-NPDES waste discharge requirements. The Water Board would have to prepare and certify an EIR before issuing such waste discharge requirements.

Under the CEQA Guidelines, the lead agency for a private development is "the public agency with the greatest responsibility for supervising or approving the project as a whole." The lead agency is normally a general-jurisdiction agency such as a city or

county, and not a limited-jurisdiction agency ("responsible agency") such as the Water Board. (CEQA Guidelines § 15051(b).) If the general-jurisdiction agency does not prepare an EIR, then a responsible agency can become the lead agency. (CEQA Guidelines § 15052.) The preference is for the responsible agency to work through the normal CEQA process to ensure the lead agency prepares adequate documentation. Unlike Dalidio Ranch, however, in the typical case the lead agency issues what is clearly a discretionary permit. One of Measure J's specific purposes was apparently to avoid local CEQA review.

One option is to use the lead agency designation process of the Office of Planning and Research. If the County determines it has no discretionary approval authority and declines to prepare an EIR, the Water Board could request OPR to designate which of the two agencies should serve as lead agency.

Staff has informed the developer that it must submit a project description for the wastewater treatment plant to the Water Board to begin the CEQA process. We will provide the Board with periodic updates as we move through the process.

Storm Water Municipal General Permit
[Ryan Lodge 805/549-3506]

Water Board staff reviewed the City of Santa Barbara Storm Water Management Program (SWMP) and sent a comment a letter requiring SWMP revisions. Water Board staff issued a letter to the City of Paso Robles on December 12, 2006, requesting additional information to

clarify the City's October 27, 2006 Notice of Violation (NOV) response letter. Water Board staff received College Elementary School District's SWMP in response to an NOV letter sent October 20, 2006. Staff received SWMP revisions from UC Santa Cruz (UCSC) and San Luis Coastal Unified School District (SLOCUSD). We are currently reviewing SLOCUSD's SWMP. Once approved, we will use SLOCUSD's SWMP as a template for twelve other School District SWMPs in San Luis Obispo and Santa Barbara Counties. We are anticipating minor revisions to the UCSC SWMP before posting it for 60-day public review. Staff reviewed Carpinteria Unified School District's annual report and sent comments requesting clarification and additional information in a revised annual report.

The current status of the Region's Phase II SWMP review is shown in **[Attachment A]**.

CLEANUP REPORTS

Underground Tanks Summary Report dated December 28, 2006 [Burton Chadwick 805/542-4786]

[See Attachment B]

REGIONAL REPORTS

Regional Monitoring Report [Karen Worcester 805/549-3333]

The CCAMP watershed rotation is shifting into the Santa Maria watershed in 2007. We will be meeting with watershed stakeholders early in January to discuss site placement, pollutants of concern, access, and other issues. We

will be adding a screening test for E. coli O157:H7 to our suite of monthly analytical tests. We have requested funding for this work through the State Board's Cleanup and Abatement Account. We are limited in the amount we can amend our commercial lab contract each year, so we have requested enough to do screening level monitoring for this fiscal year and next fiscal year. If we find problems, and need to do any follow-up work, additional funds will be requested, with the work most likely contracted through DHS or a university laboratory.

CCAMP has delivered all of our historical data (before 2003) to the SWAMP data management team for uploading into the SWAMP system. SWAMP set up performance targets for Regional monitoring programs, and this delivery meets one of the targets for this year. Another target includes peer-reviewed finalized monitoring reports for 00-01 data. We have recently received back our peer review on reports for 00-01, 01-02, and 02-03. We will be finalizing these reports over the next two months, and once done will be well ahead of SWAMP performance requirements. Peer review comments were helpful and generally complimentary.

Dave Paradies has updated the data on the CCAMP website, and is now beginning a major revision of the website structure. We would like to restructure the website so that it better supports the office Vision and goals, and so are looking at several new graphical approaches to displaying information. Similarly, we are setting up an information management system on the web to provide a way to organize assessment data associated with tracking measurable goals. Another

goal for the website revision is to make it compatible with the new web-delivery structure being required of the agricultural waiver monitoring program and some grantees. By doing this, we hope to make future website management something that is transferable to other staff.

Staff has circulated a solicitation for submittal of new data to evaluate relative to the 2008 303(d) list. Mary Adams will be managing this project, which will require extensive file manipulation, data management and analysis. Fact sheets must be developed to support each proposed listing. SWAMP is now considering making fact sheet development a primary assessment tool, in lieu of lengthy written narrative reports. We will be incorporating water body fact sheets into our new CCAMP website design.

ADMINISTRATIVE REPORTS

Presentations and Training [Michael Thomas 805/542-4623]

Karen Worcester gave a presentation at the Southern Sea Otter Research meetings, held at Long Marine Laboratories from November 30 – December 1. She discussed how Region 3 is responding to sea otter disease issues from a regulatory standpoint, and discussed newly

ATTACHMENTS

- A. Phase II SWMP Review
- B. Underground Tanks Summary Report dated December 28, 2006

adopted storm water management programs, Low Impact Development activities, wastewater treatment improvements, new non-point source policies and programs, agricultural waiver activities, and grant activities we have funded for storm water and wastewater improvements.

On January 23, 2007, Water Resources Control Engineers Karyn Steckling, Kristina Seley, and Allison Dominguez attended the *Water Quality Goals* class at the Los Angeles Regional Water Quality Control Board office. On January 29, 2007, Karyn, Kristina, and Allison also attended a project management class in San Luis Obispo called *Getting It All Done*. Karyn, Kristina, and Allison will be able to directly apply their training to their work in their respective programs: Spills Cleanup, Perchlorate/DOD, and NPDES Permitting.

Staff members Brandon Sanderson, Todd Stanley, Stacy Denney, Chris Adair, Carol Hewitt, Cyndee Jones, and Shanta Keeling attended a website development class entitled *Introduction to Dreamweaver 8* on January 5, 2007 at Software Solutions in San Luis Obispo.