STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF OCTOBER 19, 2007
Prepared on September 21, 2007

ITEM NUMBER: 16

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 August 1, 2007, to August 31, 2007.

WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED FROM AUGUST 1, 2007 THROUGH AUGUST 31, 2007

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage[1]	Mitigation[2]	Certified
County of Monterey-Public Department Works	Thorne Road Bridge Replacement	Replace a low-level crossing bridge with a high-level crossing bridge to allow the bridge to stay open during the winter months and allow Steelhead trout to migrate upstream.	West of Greenfield	Monterey	Arroyo Seco River	5.63	None required due to project's environmental benefits	
California Department of Transportation	Culvert Repair	The re-installation of the last section of a culvert and the placement of ungrouted rock as energy dissipation at the outlet.	Santa Barbara	Santa Barbara	Santa Ynez River	2.06		
Jean Harrah	Kerr Rd Vegetative Treatment System & Culvert Replacement and Revegetation	Replacing an undersized culvert and constructing two in-channel vegetated treatment ponds to treat fertilizer-contaminated water. Each pond will have a concrete outlet control structure.	Watsonville	Santa Cruz	Unnamed tributary to Coward Creek	0.05		

[1] Total Acreage includes both temporary and permanent impacts to riparian, streambed, and/or wetland environments within federal jurisdiction.

[2] Mitigation acres are reported only for Certified projects. Water Board compensatory mitigation requirements are determined based on area impacted. They are generally 2:1 for streambed impacts, 1:1 for riparian impacts, and 3:1 for wetland impacts. Mitigation acreage is final upon issuance of certification and not shown unless the Water Board has issued certification.

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage[1]	Mitigation[2]	Certified
George Hansen -City of Grover Beach	West Grand Ave. Storm Drain/ Meadow Creek Bridge Replacement	Replacing two structures spanning Meadow Creek with a 32-foot wide Con-Span bridge. Replacing an existing storm water outfall pipe with one 66-inch storm drain culvert with riprap.	Grover Beach	San Luis Obispo	Meadow Creek	0.21		
Horace Wayne Pitts.	Pitts Residence - Uvas Road	Installing two 6 x 12-foot outfalls under a driveway as part of a grading plan for a proposed single residential unit.	Morgan Hill	Santa Clara	Uvas Reservoir			
California Department of Transportation	Repair Culvert	Filling voids in headwall with 42 cubic yards of concrete slurry. Replacing rebar and installing a U-shaped form to the headwall to construct an 18-inch thick beam that will secure the headwall.	North of Cambria	San Luis Obispo	Arroyo del Oso Creek, Pacific Ocean	0.04		

WATERSHED REPORTS

Ventana Inn and Spa [Matthew Keeling 805/549-3685]

Ventana Inn and Spa (Inn) is located on Highway 1, in the hilly terrain of Big Sur, Monterey County. The Inn encompasses 243 acres, and contains a restaurant, shops, offices, 59 rooms, three guesthouses, maintenance facilities, 33 staff housing units, a spa, and a 70-space campground with three bathhouses. Wastewater is handled by a 19 septic tanks and 15 leachfields distributed across the property. Ventana Inn and Spa was under the ownership and management of Sonoma Spa Resorts, L.P. until May 2007.

Water Board staff issued Notices of violation to the Discharger for surfacing effluent on May 1, 2001, April 11, 2003, and April 7, 2004. In 2002, the Board adopted Waste Discharge Requirements Order No. R3-2002-0032 (Order) directing the Discharger (former owner, Sonoma Spa Resorts) to investigate the cause of overloaded and apparently failing leachfields at the resort. The Order also directed the Discharger to improve the overall operations and maintenance of the on-site treatment systems to better detect and avoid further system failures. In accordance with Provision G.3, the Discharger submitted a January 31, 2003 proposal to upgrade and repair existing disposal facilities, as well as implement a comprehensive wastewater system upgrade consisting of centralized treatment and disposal via subsurface drip irrigation. Ventana submitted several iterations of the repair and upgrade plans between the original plan submittal and due date for completion of the comprehensive upgrades by August 30, 2005. At some point during this time period, staff allowed the Discharger to defer the comprehensive upgrades given the interim upgrades and repairs sufficiently addressed the failing leachfields (documentation of this is not available in Water Board files). Water Board staff visited the site four times between March 2004 and May 2005, to monitor the progress of the upgrades and to verify that all wastewater remained below ground.

The Discharger completed upgrade work including installation of effluent filters in all septic tanks, replacement of septic tanks at campground bath houses I and II, replacement of pumps at several septic tanks, installation of new distribution boxes and pump stations to route flows between various leachfields, installation of 30,000-gallon and 10,000-gallon septic tanks (to combine flow from several abandoned tanks serving the Inn complex), installation of new leachfields, and rehabilitation of existing leachfields by June 2004. The Discharger submitted a March 25, 2005 report documenting the completed upgrades and outlining remaining portions of the upgrade yet to be completed, including a new septic tank for staff housing, upgrades to the Sur House septic tank and leachfield, installation of a remote telemetry system, and renovation of several leachfields serving the Inn complex. The remaining work was to be completed by June 1, 2005. The Discharger has yet to document completion of the remaining upgrades and repairs.

Due to staff rotations and workload priorities, Water Board staff did not inspect the Inn from May 2005 to July 2007. During this time, ownership and management of the Inn changed. Neither the Water Board nor Monterey County were notified of the ownership

change. The Discharger's interim chief engineer, Lance Rennka, recently indicated to Water Board staff that the former owners may have deliberately ceased remaining upgrades and significantly cut back maintenance activities to limit capital expenditures and convey more favorable revenues prior to the sale of the Inn.

Based on monthly monitoring reports indicating failure of a leachfield at the Homestead House dating back to January 2007, Water Board and County Environmental Health (County) staff conducted a joint inspection of the facility on July 10, 2007. Numerous violations and problem areas were noted during this inspection and upon review of Water Board files, as outlined in our September 4, 2007 notice of violation letter **(NOV; Attachment 1)** to the Discharger. The Discharger's interim chief engineer responded to the NOV in writing on September 16, 2007 **(Attachment 2)**. The response letter outlines a litany of operational and maintenance problems, alluding to a history of poor facility maintenance for the entire facility, not the least of which is ongoing leachfield failures during full Inn occupancy.

On September 14, 2007, Discharger's interim wastewater facility operator, Tom Massaglin, reported surfacing effluent downslope from leachfield number 12 located upslope of the campground and Post Creek, near Bathhouse II. County staff confirmed the release on September 17 and observed what was likely effluent flowing into Post Creek within the Ventana Inn Campground. County staff collected samples from the seep for bacterial analysis. The analytical results reported 41 most probable number (MPN)/100 mL – E. coli, and 2,577 MPN/100 mL - total coliform. These values are not indicative of raw sewage. Although the presence of E. coli indicates the seepage likely originated from the upslope leachfields, the relatively low concentrations are indicative of filtering within the soil prior to daylighting. The County followed up with a September 17, 2007 letter **(Attachment 3)** requiring immediate actions for the protection of public health. The County is in receipt of Inn reservation booking records through this October. The County has orally notified the Discharger and is going to follow up with a formal letter prohibiting any new reservations until the end of October. Maximum occupancy decreases to about 60% during the winter months until it picks up again the following spring.

Recently documented violations indicate the Discharger is unable to adequately handle wastewater flows via the convoluted system of septic tanks, distribution boxes, pump stations and leachfields at full occupancy, even with the upgrades completed in 2004. The ongoing wastewater facility failure is primarily due to the physical and geologic constraints (steep slopes and unfavorable soil conditions) of the facility property and is exacerbated by a history of poor maintenance and operation. Water Board staff is currently collecting additional information and preparing a formal enforcement order to require construction of an advanced centralized treatment system with alternative disposal methods conducive to the physical and geologic constraints of the facility, or some alternative that will accomplish similar results. Based on verbal communication with the interim chief engineer, the new owners appear amenable to implementing a comprehensive wastewater facility upgrade and have directed a consultant to prepare a design and bid package.

Timber Correspondence [Julia Dyer 805/594-6144]

Central Coast foresters Mr. Van Lennep and Mr. Berlage submitted letters to the Central Coast Regional Water Quality Control Board on July 6, 2007 and August 23, 2007, respectively. Both letters include recommendations for improving the regulation of timber harvest activities within the Central Coast Region. Attached are the Executive Officer's responses to these recommendations accompanied by the original letters. **(See Attachments 4 and 5)**

CLEANUP REPORTS

Underground Tanks Summary Report dated September 19, 2007 [Burton Chadwick 805/542-4786] **[See Attachment 6]**

REGIONAL REPORTS

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

The Central Coast Long-Term Environmental Assessment Network (CCLEAN, consisting of Santa Cruz, Watsonville, Monterey Regional, and Carmel) is undergoing a number of changes as it enters its second five years of monitoring and begins to revise its objectives to address comments from its peer review. Participants strongly feel that river and stream monitoring, though very useful over the first term of the program to compare relative loading of pollutants to Monterey Bay, should not be the ongoing funding responsibility of point source dischargers. Dischargers are not responsible for the non-point sources entering rivers, and therefore want to see other monitoring entities pick up this component of the CCLEAN monitoring design. The Central Coast Ambient Monitoring Program (CCAMP) already has augmented its coastal confluences monitoring to include additional CCLEAN parameters. Additionally, both the cities of Watsonville and Santa Cruz have voluntarily decided to fund their respective river monitoring stations on the Pajaro and San Lorenzo Rivers. However, the Carmel and Salinas stations will be unfunded if the Board approves the proposed changes to the CCLEAN program in December. We are investigating other funding sources to support these stations. For example, there will be new monitoring requirements associated with ASBS discharges and potentially with municipal Phase 2 storm water programs. Our initial inquiries with the Ocean Protection Council about funds for monitoring have not so far been encouraging.

The State Board is working with Areas of Special Biological Significance (ASBS) dischargers to develop a regionalized ASBS monitoring approach. Karen Worcester has attended several meetings, including one with all northern California stakeholders in August. The CCLEAN Program Director has also been involved in these discussions, in the hope that we can encourage elements of the new program to work in concert with

CCLEAN design elements. In particular, we are interested in maintaining the river mouth monitoring station for the Carmel River, which discharges to an ASBS. We have reviewed a straw man monitoring proposal developed by the Southern California Coastal Water Research Program (SCCWRP) to address the statewide ASBS monitoring requirements. It currently recommends a probabilistic assessment of three strata – "natural areas" off pristine watersheds, ASBS areas with discharges, and ASBS areas without discharges. It also recommends sampling of water column, rocky intertidal and subtidal habitat. It is as yet unclear to what extent discharge-specific data will be collected and how participants will pay into this program, which will potentially be quite costly. Findings will be along the lines of "what percent of coastline in ASBSs has natural water quality" and "How does ASBS water quality compare to that found in natural areas."

CCAMP staff continues to work on supporting the 2008 Integrated Report-List of Impaired Waters (pursuant to 303(d) of the Clean Water Act) and Surface Water Quality Assessment (pursuant to 305(b) of the Clean Water Act) with new software development and file management activities. We have been participating on a Technical Advisory Committee for the "Central Coast Water Quality Synthesis, Assessment and Management Project" (SAM) grant project at the Monterey Bay National Marine Sanctuary, which has pulled together and assessed data collected from multiple programs throughout the Region. We have ensured that this data was organized in a format similar to that used for the Agricultural Waiver data deliveries, as well as our own data deliveries to the Surface Water Ambient Monitoring Program (SWAMP). All of these files have been combined to update the List of Impaired Waters and Surface Water Quality Assessment. Dave Paradies has built new software to scan these files for exceedances of listing criteria. Each project-specific "line of evidence", which consists of a water body/pollutant/beneficial use combination (e.g. "CCAMP data shows that on No Name Creek, 5 out of 12 nitrate samples exceed the drinking water beneficial use") is documented individually. These are combined into fact sheets supporting a listing or delisting decision. This process has been very time-intensive, but will further us tremendously in other ways, including website development and regional assessment activities.

State Board staff has been coordinating all the Regional Board staff efforts to recommend changes to the 2008 Integrated Report. The state-wide process has been delayed due to extra time to build a statewide information management data base and the volume of data to review and analyze at many of the Regions. Consequently, Central Coast Water Board staff has postponed public workshops until February or March 2008 and plans to bring recommendations for the List of Impaired Waters and Surface Water Quality Assessment to the Board in May or July 2008.

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

Staff is working on the following TMDL tasks or reports:

- Aptos and Valencia Creeks Pathogen TMDLs- Final Project Report and Presentation to Water Board
- Pajaro River and Tributaries Fecal Coliform TMDL- Draft Project Report
- Salinas River and Tributaries Fecal Coliform TMDL- Draft Project Report
- San Lorenzo River and Estuary TMDLs (including Carbonera Creek) Pathogen TMDL- Final Project Report and Presentation to Water Board
- Santa Barbara Beaches Bacteria TMDLs- Preliminary Project Report (to be prepared by USEPA contractor, Tetra-Tech)
- Santa Maria River and Oso Flaco Creek Fecal Coliform TMDLs- Final Project Report
- Santa Maria River and Oso Flaco Creek Nitrate TMDLs- Final Project Report
- Santa Maria River Estuary Pesticides TMDL- Project Plan
- Soquel Lagoon Pathogen TMDL- Final Project Report and Presentation to Water Board

TMDL program Staff are working collaboratively to develop more efficient and effective methods for investigating and determining sources of bacteria that are impairing beneficial uses of waterbodies throughout the region, particularly those that are unstudied and unregulated to date. Staff has learned that different watersheds or local agency jurisdictional areas have a range of public or agency awareness, and a range of data and information, on sources of bacteria. Additionally, many of the sources loading bacteria are transient in nature so are hard to identify as definitively loading bacteria, hard to locate geographically and hard to associate with a responsible property. Homeless encampments, field workers using port-a-potties, and cattle grazing are examples of these sources.

By coordinating source investigation methods across watersheds (rather than just conducting source analysis as unique to individual projects), staff will share lessons learned from areas and about sources they are not individually researching. For example, we do not have data specifically indicating discharges from individual onsite sewage disposal systems or from runoff of individual ranches with livestock in most areas where TMDLs are being developed. However, staff does have access to local agencies and their files and information (such as County Health Departments and their records on management of onsite waste disposal systems). Additionally, staff is conducting outreach and establishing relationships with representatives from industries and land uses, such as grazing and livestock management, to learn more about potential bacteria loading from different types of facilities in different areas and what management measures are or should be in place to prevent bacteria loading to waterbodies. Staff has also been reporting suspected dischargers discovered during source investigations to local agencies and to Water Board enforcement staff. Local or Water Board staff have eliminated discharges during source investigations by contacting dischargers directly, and following up with enforcement. By approaching source analysis more collaboratively, thinking more broadly about how to access information, and determining the most efficient way to survey watersheds for certain sources, staff will become more efficient and effective at identifying sources for all TMDLs.

Staff has initiated implementation of the Pajaro River Sediment TMDL. Kim Sanders prepared a detailed and comprehensive plan to identify and notify landowners and operators of lands suspected of discharging sediment (suspected dischargers) and prohibited by the Pajaro River Watershed Land Disturbance Prohibition (Prohibition; grazing, farm animal and livestock, roads, and hydromodified lands or waterways). This effort involves identifying land uses, ownership, and land management activities for thousands of parcels.

Key components of the plan include:

1. Determine high priority area(s) within Pajaro River Watershed to use as model(s);

2. Acquire ownership information through assessor parcel data for suspected dischargers;

3. Conduct outreach via various methods including "pre-notification" and education by staff and/or third parties to landowner groups and/or individual landowners suspected of discharging;

4. Establish communication with suspected dischargers and collaborate through a technical advisory committee; and

5. Continue to collaborate with staff internally to evaluate the best methods to ensure staff adequately identifies all sediment dischargers in the Pajaro Watershed.

Staff recognizes that it will be difficult to identify all suspected dischargers at one time. Therefore, staff will use the above methods in a phased identification process. The phased approach (identifying some suspected dischargers earlier, and some suspected dischargers later) will result in improvement of water quality more quickly than waiting until staff can identify all suspected dischargers at one time.

The phased approach, including outreach and "pre-notification," will also provide "visibility" to the requirements of the Pajaro River Sediment TMDL and educate suspected dischargers about the Prohibition. Staff expects that some dischargers will want to know how they can comply prior to receiving direct notification, such as a letter pursuant to sections of the California Water Code, due to the visibility and communication among landowners. This may help us gain compliance and further identify dischargers.

This plan will be implemented with an adaptive management approach. Staff will reevaluate the plan periodically to make sure that staff adapts, schedules and uses the best of the methods and tools above, or others that emerge, in response to discharger and stakeholder information gathered during implementation of this plan. Staff will continue to incorporate lessons learned in developing and implementing the Agricultural Waiver Program and other Water Board programs (e.g., North Coast Water Board implementation of the Garcia River Sediment TMDL) into this Plan. Staff will evaluate progress of this plan at the end of this fiscal year (June 2008) and determine how the Water Board should proceed into next fiscal year.

This Plan will help the Central Coast Water Board achieve two of the Measurable Goals of their Vision. This Plan will help staff identify landowners discharging sediment to the sediment-impaired Pajaro River. Decreasing or eliminating sediment

discharge will increase the health of aquatic habitat for the animals and plants that rely on the River for survival. Creating healthier aquatic habitat will help the Water Board achieve Measurable Goal (MG) 1: By 2025, 80% of aquatic habitat is healthy; and the remaining 20% exhibits positive trends in key parameters. Staff concluded the Plan will also help achieve MG2: By 2025 80% of lands within any watershed will be managed to maintain healthy watershed functions, and the remaining 20% will exhibit positive trends in key watershed parameters. Requiring the decrease of sediment discharge in the Pajaro Watershed is a management strategy that will help to restore the healthy functions of this Watershed. Proper management of sediment discharge required in the implementation plan of the Pajaro River Sediment TMDL will result in decreased flooding, decreased erosion, and an increase in the productivity of the land within the Watershed. Implementation of this plan also provides an opportunity to learn how the Water Board can make best progress to implement the measurable goals and measure that progress. This will result from staff looking at and analyzing the cumulative effects of regulating multiple sediment discharges, multiple types and locations of land disturbances that cause sediment discharges, and implementation of multiple types and locations of land management measures in the watershed or subwatersheds.

Grant Funding and Coordination [Angela Schroeter 805/542-4644]

Water Board staff are conducting outreach and watershed coordination to encourage local agencies and organizations to promote healthy functioning watersheds through grant funding opportunities and to engage early in the process, by attending scoping meetings, commenting on draft grant program guidelines, and attending applicant workshops. Evidence that these proactive outreach efforts are effective is demonstrated by increased general interest in grant programs by potential grantees throughout the region, increased number of submitted grant proposals, and an increased number of Central Coast Region grant projects successfully included on the State Water Board Competitive Project Lists (CPL). In addition, Water Board staff is coordinating with State Water Board Division of Financial Assistance (DFA), Department of Water Resources (DWR), and local water agencies to scope the recently awarded Integrated Regional Water Management (IRWM) grants for Salinas Valley ($12.5 Million), Northern Santa Cruz County ($12.5 Million), and Pajaro River Watershed ($25 Million).

The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Prop 84) provides more than $232 Million to the Water Board for upcoming water quality grants related to Stormwater, Agriculture, Clean Beaches and Areas of Special Biological Significance (ASBS), and Total Maximum Daily Load (TMDL) Implementation. In addition, Prop 84 also provides $1 Billion to the Department of Water Resources for IRWM Plans ($52 Million is available specifically to the Central Coast Region).

Specific funding program details follow below. The Water Board is also holding a Funding Fair on January 11, 2008 at the Cal/EPA Building in Sacramento. More information is available at

http://www.waterboards.ca.gov/centralcoast/Grants/index.htm. To receive future information on upcoming grant funding opportunities by e-mail, interested persons may also subscribe online to our Central Coast Region "Grant Funding Opportunities" electronic mailing list at http://www.swrcb.ca.gov/lyrisforms/reg3_subscribe.html. If you have any further questions about upcoming funding opportunities, please contact the Central Coast Water Board Grants Program Coordinator, Angela Schroeter, at (805) 542-4644 or aschroeter@waterboards.ca.gov.

319(h) Non-Point Source Program

- $5.65 Million available
- Projects must address at least one of the State Water Board, Regional Water Boards or USEPA priorities relating to TMDL implementation.
- **Sept. 27, 2007** – Applicant Workshop (Sacramento, CA also available via webcast)
- **Nov. 1, 2007** - Concept Proposals due
- For more information, please visit http://www.waterboards.ca.gov/funding/319h.html or contact the Division of Financial Assistance, Ms. Julé Rizzardo, at (916) 341-5822 or jrizzardo@waterboards.ca.gov or Mr. Mark Magtoto at (916) 341-5481 or mmagtoto@waterboards.ca.gov.

Prop 84 – Areas of Special Biological Significance (ASBS)

- $32 Million available
- Projects designed to assist agencies in complying with the discharge prohibition into Areas of Special Biological Significance contained in the California Ocean Plan.
- **Sept. 25, 2007/Oct. 10, 2007** – Scoping Meetings (Costa Mesa and Oakland, CA)
- Summer 2008 - Planned solicitation
- For more information, please contact Ms. Jule Rizzardo at (916) 341-5822 or jrizzardo@waterboards.ca.gov

Prop 84 – Agricultural Water Quality

- $15 Million available
- Projects designed to reduce the discharge of pollutants from agricultural operations into surface waters of the State.
- January 2008 – Planned Solicitation
- For more information, please visit http://www.waterboards.ca.gov/funding/awqgp84.html or contact Ms. Jule Rizzardo at (916) 341-5822 or jrizzardo@waterboards.ca.gov or Mr. Ken Coulter at (916) 341-5496 or kcoulter@waterboards.ca.gov

Prop 84 – Storm Water

- $90 Million available
- Projects designed to reduce and prevent stormwater contamination of rivers, lakes, and streams.
- Spring 2008 – Planned Solicitation
- For more information, please visit http://www.waterboards.ca.gov/funding/prop84.html or contact Ms. Erin Ragazzi at (916) 341-5733 or enragazzi@waterboards.ca.gov

Prop 84 – Clean Beaches Initiative (CBI)

- $37 Million available
- Projects designed to protect beaches and coastal waters from pollution and toxic contamination.
- Spring 2008 – Planned Solicitation
- For more information, please visit http://www.waterboards.ca.gov/cwphome/beaches/index.html or contact Ms. Laura Peters at (916) 341-5854 or lpeters@waterboards.ca.gov

Prop 84 - Integrated Regional Water Management (IRWM) Grant Program

- Total $1 Billion available state-wide, $52 Million for the Central Coast Funding Area
- Administered by DWR
- Provides funding for projects that assists local public agencies to meet long term water needs of the state including the delivery of safe drinking water and the protection of water quality and the environment.
- Summer 2008 – Planned Solicitation
- Central Coast Region IRWM Plans have been adopted by Monterey Peninsula WMD, Monterey County Water Resources Agency, San Luis Obispo County, Santa Cruz County RCD, Pajaro Valley Water Management Agency, County of Santa Barbara, and Ventura County.
- Agencies and organizations with local projects to recommend for IRWM funding should attend early scoping meetings and coordinate with local IRWM planning agencies.
- Public Scoping Meetings to discuss program concepts, program guidelines, and IRWM Plan Standards:

  September 21, 2007; 9AM – Noon
  Monterey County Government Center
  Second Floor, Monterey Conference Room
  168 West Alisal Street
  Salinas, CA 93901

  September 25, 2007; 9AM – Noon
  California EPA Building, Byron Sher Auditorium
  1001 I Street
  Sacramento, CA 95814
  Webcast: http://www.calepa.ca.gov/broadcast/

  September 26, 2007; 9AM – Noon
  Irvine Ranch Water District Duck Club
  (near) 3512 Michelson Drive
  Irvine, CA 92618

- For more information about Prop 84 IRWM, please contact Joseph Yun at (916) 651-9222 or jyun@water.ca.gov

Grants Program Accomplishments
In 2006-2007, the Grants Program had 3.8 PYs. Staff resources were used to manage 47 grant projects located throughout the Central Coast Region that address Watershed Protection, Water Management, Agricultural Water Quality, Drinking Water, Urban Stormwater, Total Maximum Daily Loads, and Non-Point Source Pollution Control. In 2006 - 2007, Grants Program staff worked with grantees to successfully complete 11 of the 47 projects. The remaining 36 grant projects being implemented by grantees in the Central Coast Region totals more than $30 Million (not including projects managed by SWRCB DFA for Clean Beaches Initiative, Small Community Wastewater Grant Program, or Integrated Regional Watershed Management (IRWM)). Additional Central Coast Region grant projects are anticipated to be awarded through the various upcoming Prop 84 grant programs. Due to recent budget modifications, the current Grants Program staff resource allocation is now 3.0 PYs (overall decrease of .8 PY). In addition to grant management, Grants Program resources are used for the following activities:

- Stakeholder grant outreach related to upcoming grant programs;
- Focused stakeholder grant outreach related to small communities;
- Participation in grant program guidelines development;
- Participation in grant program scoring and consensus reviews;
- Internal cross-program coordination related to grants projects and IRWM activities;
- External coordination with local IRWM planning agencies related to IRWM project scoping and implementation;
- Coordination with SWRCB DFA on Clean Beaches Initiative and Small Community Wastewater Grant Program; and
- Coordination with SWRCB DFA and DWR related to IRWM program development and project management.

ADMINISTRATIVE REPORTS

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

Dean Thomas, Engineering Geologist, attended the 26th Biennial Groundwater Conference and 16th Annual Meeting of the Groundwater Resources Association of California on September 19 and 20, 2007. The title of the conference was "California's Water Future: Expanding the Role of Groundwater." The conference included a discussion of seawater intrusion in the Pajaro Valley of the Salinas Valley Groundwater Basin, and how seawater intrusion advances during dry weather periods. Also presented were the results of the Groundwater Ambient Monitoring Assessment that included sampling of municipal supply wells in the Salinas Valley Groundwater Basin. Other topics included the importance of reviewing and integrating city and county general plans as part of integrated regional water management plans, and preparing for climate change. Climate change models have under predicted the increases in carbon dioxide levels actually measured over the last couple of years. The various models all

predict a large decrease in future Sierran snow pack, and increases in temperature, but do not converge on predictions for how precipitation patterns will change in the future.

Howard Kolb attended training on grants on July 10, 2007. Corinne Huckaby made presentations at UCCE Farm Water Quality Planning short courses in Santa Maria on August 14, 2007 and in Solvang on August 12, 2007. Corinne Huckaby attended training on riparian processes on August 24, 2007 and IPM for nurseries and greenhouses on September 20, 2007. Alison Jones presented at the UCCE Farm Water Quality Planning short course in Goleta on August 8, 2007 and at a Land to Sea tour in Carpinteria on September 20, 2007.

Budget and Accomplishments [Roger Briggs 805/549-3140]

This item is a brief report on our budget status and some accomplishments highlights for fiscal year 2006-2007.

Accomplishments
We made good progress on defining our Region's Vision of Healthy Watersheds and measurable goals toward achieving that Vision. We have been working on two parallel tracks: improving the organization by improving ourselves through high-level training, and aligning the organization to focus on and achieve tangible results to realize our Vision for the watersheds of our region.

Training
Approximately 30 staff, including all managers and supervisors, recently completed the UC Davis Executive Program in Leadership Excellence in San Luis Obispo over an eight month period in 2006 – 2007. The Program helps us answer questions like these:

- How can you ensure that your organization produces quantifiable results that improve over time?
- Are you maintaining a strategic focus for your organization?
- What are the most effective styles of leadership and communication?

We are working with UC Davis to bring additional courses to the office, and to provide on-going coaching for managers and supervisors.

Vision – Healthy Watersheds
We have defined three primary goals to achieve our Vision:

Goal: By 2025, 80% of riparian systems on the Central Coast are healthy, and the other 20% exhibit positive trends in key parameters.

Goal: By 2025, 80% of lands within a watershed are sustainably managed to protect healthy functioning watersheds, and the remaining 20% exhibit positive trends in key parameters.

Goal: By 2025, 80% of groundwater is clean, and the remaining 20% exhibits positive trends in key parameters.

Each of these goals requires assessment through monitoring, and trend analysis, with feedback to make necessary adjustments (adaptive management). Over the past few months, we established a "vision team" for each of these three goals plus assessment. The team leaders are Chris Rose (riparian), Jennifer Bitting (land), Thea Tryon (ground water), and Karen Worcester (assessment). Team members represent all programs and disciplines in the office. The teams are developing specific, scheduled projects to address the most important issues regarding riparian habitat, sustainable land management, groundwater, and assessment in our Region, including the use of new regulatory approaches. We will present these projects to the Water Board as they are developed over the next several months.

Concurrently, we are also making progress in key areas, such as low impact development, groundwater cleanup, grant funding, regulation of irrigated agriculture, and performance monitoring through our Central Coast Ambient Monitoring Program. We provided more detail and examples of accomplishments for each of these areas in our June 2007 report to the Board. We are also preparing two proposals for the Water Board's February 2008 meeting (as discussed at our July 6, 2007 meeting). One is to fund a Central Coast Low Impact Development Institute, and the other is to increase the endowment for the Central Coast Ambient Monitoring Program.

To improve ourselves as a performance based organization, we are aligning all staff individual development plans and performance evaluations with achieving our defined organizational goals and objectives. Only through individual responsibility and accountability will our goals be realized.

Budget Summary

Total authorized positions for FY 06/07 were 71.8, salary savings total was 3.8 leaving 68.0 total salaried positions. At the end of FY 06/07, salary dollars were 100% expended.

Total authorized positions for FY 07/08 are 71.4, salary savings total is 3.8 leaving 67.6 total salaried positions. We will receive additional funding and 1.0 PY in the Cleanup unit (Brownfield Budget Change Proposal) and from Proposition 84 0.2 PY for Ag waiver implementation and 0.6 PY for grant solicitation, selection and grant management, if we choose to use it more comprehensively (if only for grant management that's about 6-10 grants).

The organizational expenditure summary for FY 06/07 showed:

106.3% expended ($8,030 over budget allotment) in Watershed Protection Program (00 Bond-WPP).

Underground Storage Tank Cleanup Fund (UTSCF) was 109.8% expended ($71,891 over budget allotment) and

Waste Discharge Permit Fund (WDPF) was 101.8% expended ($48,802 over budget allotment).

However, overall program expenditures for FY 06/07 were 95.7%.

Our Operating Expenses & Equipment (OE&E) budget for FY 06/07 was $886,922 and at the end of the fiscal year was 100% expended. Our OE&E budget for FY 07/08 is $925,175, an increase of $38,253.

Overall, there are no significant changes in our 07/08 budget from our 06/07 budget.

Currently, we have six actual vacancies; a list of vacancies is shown below:

Site Cleanup Program - one Engineering Geologist and one Water Resource Control Engineer
Permitting unit - one Senior WRCE and one Environmental Scientist
TMDL unit - one Environmental Scientist
TMDL/Grants unit – one Environmental Scientist and one Water Resource Control Engineer
Administrative Services unit - one Associate Information System Analyst

We are currently recruiting for all vacant positions, or will be in the next several weeks. In the last statewide vacancy report, our region had the lowest average vacancy rate for the year of all the regions and all the State Board divisions and offices.

Program Tasks Completed in FY 06-07
Non-storm water NPDES inspections - 50
WDR inspections - 181
Landfill Inspections - 41

NPDES Individual Permits - 6
NPDES General Permits - 2
Non-stormwater NPDES general enrollees - 14

WDR Individual Order - 3
WDR general enrollees - 10
WDR rescissions - 4

Landfill WDRs – 3
41 landfill site inspections UGT closed 16 cases

For Site Cleanup Program [non-UGT] cases:
Five RB-lead case closures, two of which went to the Board [above MCL]
Two 'other agency'-lead case closures, with Executive Officer concurrence.

Storm Water Program Accomplishments
Staff enrolled one regional and two county municipalities in the State Municipal General Permit; issued several dozen comment letters to other traditional and non-traditional MS4s to further develop storm water management plans; sent notices of violation to the City of Paso Robles for non-compliance with the Municipal General permit; conducted more than 160 inspections of construction and industrial facilities; issued 85 Notices of

Violation (NOV) for non-compliance with the annual reporting requirements of the Industrial Annual Permit (which ultimately resulted in five ACL complaints), and provided comments and revisions on storm water and construction ordinances, and a new Low Impact Development (LID) design standards manual for the City of Salinas. One staff member also developed a BMP selection tool while on educational leave and researched regulatory tools to require LID in the Central Coast Region. Staff managed several grants that will result in two LID demonstration projects and an LID design manual for San Luis Obispo County.

Timber Harvest Program Accomplishments for 2006-2007

- Actively managed a growing case loads of 67 harvest plans in one of the following harvest stages; preharvest, active harvest, or postharvest, representing 8,752 acres of timberland;
- Enrolled ten Timber Harvest Plans (THPS) or Nonindustrial Timber Management Plans (NTMPs) under the General Waiver;
- Conducted thirty-one site inspections of approved or proposed timber plans covering 3,308 acres of timberland. During these inspections, Water Board staff observed conditions that are protective of water quality as well as conditions that pose a threat to water quality and its beneficial uses, and staff followed up to resolve the latter;
- Developed Standard Operating Procedures for Instream Turbidity Monitoring;
- Monitored all amendments or deviations filed with the California Department of Forestry and Fire Protection (CDF) for THPs or NTMPs;
- Issued three notices of violation;
- Conducted a preliminary analysis of turbidity and temperature data.

TMDL Program Accomplishments

Staff completed the following Reports marking progress towards completion of the following TMDL projects:

Aptos and Valencia Creeks Pathogen TMDLs- Draft Project Report
Corralitos Creek Pathogen TMDL- Draft Project Report
Pajaro River and Tributaries Pathogen TMDL- Data Collection and Analysis Report; Preliminary Project Report
Salinas River Pathogens TMDL- Draft Project Report
San Lorenzo River and Estuary TMDLs (including Carbonera Creek) Pathogen TMDL- Draft Project Report
Soquel Lagoon Pathogen TMDL- Draft Project Report

Staff completed review and reports on status of implementation actions for the following approved TMDL implementation plans:

Morro Bay Pathogen TMDL
Morro Bay Sediment TMDL
San Lorenzo River Sediment TMDL

Staff initiated the following new TMDL investigations and started preparing project plans for these projects to determine whether we should develop TMDLs or recommend other options for resolving these impairments.

Elkhorn Sloughs Bacteria and Pesticides
Santa Barbara Beaches Bacteria
Santa Maria River Estuary Pesticides
Santa Ynez Nitrate

TMDLs are long-term projects. In addition to the above listing of deliverables, here are some additional TMDL related accomplishments:
Staff and management prioritized existing and new TMDL projects consistent with the Central Coast Water Board's vision and measurable goals.
Staff initiated development of 2008 Integrated Report (List of Impaired Waters and Surface Water Quality Assessment [303(d)/305(b)]) by soliciting, receiving, managing and analyzing data and information.
Staff completed source analysis investigations for multiple bacteria TMDLs throughout the region and discovered new sources in some watersheds (e.g., small livestock operations) as well as more significant contributions from traditional sources in some watersheds than previously found (e.g., storm water runoff and old septic systems).
Staff and management developed new regulatory strategies (consistent with the State's Nonpoint Source Control Policy) and initiated outreach and education to stakeholders and dischargers to control pathogen sources.
Staff improved, and management institutionalized, project planning and management for all TMDL projects via staff training, establishment of new checklists, written operating procedures, and templates for project plans, status memos and reports.
Staff evaluated implementation actions and multi-year numeric target monitoring data sets to determine progress for adopted TMDLs.

TMDL Challenges-
TMDL implementation and compliance evaluations for adopted TMDLs showed good implementation progress but water quality data are not yet showing clear signs of improvement.
Staff reevaluated project plans for Salinas and Pajaro Fecal Coliform TMDLs. The September 2006 E.coli outbreak triggered response to political expectations and incorporation of new information and results of investigations regarding food safety and irrigated agricultural practices.
Staff had more difficulty than planned identifying nonpoint sources of pathogens and appropriate control strategies given that stakeholders are diverse, geographically distributed, and not currently or easily organized or represented by industry or community personnel (e.g., rural residential landowners).
The program lost productivity while filling vacancies and adjusting to unexpected staff loss due to family emergencies.

Response to TMDL Challenges-
Staff reprioritized, postponed, or delayed some projects or project tasks.

Program Manager assigned additional staff to projects that fell behind.
Staff and program manager planned and budgeted projects more carefully and accurately for next fiscal year.

Agriculture Conditioned Waiver Program Update
As stated above, our June 2007 report to the Board provided a brief summary of the programs status. In 2006-2007, we issued initial letters to large numbers of potential non-filers. We then followed up with 46 Notices of Violation (NOVs) to non-filers and, as a result, anticipate about 15 ACL Complaints will go out in October for failure to enroll (the others either enrolled or were not eligible for various reasons). Following is information on our recent status and where we are going this year with the irrigate ag regulatory program.

Management Practice Implementation Summary
We recently completed a summary report of management practice implementation that was reported as part of required ag waiver reporting. It is on our website and was submitted to the State NPS program.

Monitoring
The Cooperative Monitoring Program is conducting monitoring in accordance with the Monitoring and Reporting Program (monthly monitoring at 50 sites throughout the ag areas of the region, with follow-up monitoring being conducted where problems are identified). The initial focus of follow-up was to identify possible sources of toxicity at sites that showed toxicity during the first year of monitoring. Although there may be multiple sources at some of the sites, organophosphate pesticides were present at some sites in amounts high enough to account for the toxicity that occurred. The Cooperative Monitoring Program is providing information to growers on results and is developing another follow-up project to move up into watersheds above the long-term sites, to look at irrigation flows and at upstream water quality. Regional Board staff is using monitoring information along with enrollment information to identify areas where we see a need for improvement in irrigation management, which we believe is key to reducing toxicity.

Inspections
Inspections are an integral part of all Regional Water Board regulatory programs. In September we began conducting on-farm inspections throughout the region, both on a random basis to verify information submitted to us and better understand what farmers are implementing, and in response to complaints or identified problems. The primary goal of inspections is for us to see what practices farmers are implementing, work with them to solve problems, and make referrals to technical assistance providers when appropriate. We will move to enforcement if serious problems are identified and not corrected within a reasonable time, but at this point in the ag waiver program (this is still a relatively new program and we are still bringing growers into the program), much of the emphasis of inspections is on education and problem-solving.

Enforcement
Currently, more than 400,000 acres are enrolled in the ag waiver, representing about 93% of irrigated acreage in the Central Coast. We will continue working to ensure that

all growers are complying with the ag waiver. The current focus of our enforcement effort is twofold: to bring the remaining growers who have not yet enrolled into the program and to ensure that those who are in the program are meeting their monitoring obligations (either by conducting individual monitoring or by participating in the Cooperative Monitoring Program).

Failure to Enroll in the Ag Waiver
The ag waiver is a mandatory program for all commercial, irrigated farming operations in the Central Coast. Those that do not enroll are out of compliance and subject to enforcement. Initial letters were sent out to large numbers of potential non-filers several months ago. Those that have not responded are being sent Notice of Violation letters by certified mail. Those that do not respond to the Notice of Violation will be scheduled for Administrative Civil Liability Complaints, which will involve fines. By early October, we expect to begin issuing Administrative Civil Liability (ACL) Complaints to some non-filers. All those receiving ACL Complaints must either pay the fines or appear at a hearing before the Regional Water Quality Control Board.

Failure to Meet Monitoring Requirements
Monitoring is a mandatory part of the ag waiver. The Cooperative Monitoring Program was established to allow growers a lower-cost alternative to individual monitoring. All those who have selected cooperative monitoring on their Notice of Intent are obligated to pay fees established by the Cooperative Monitoring Program, run by Central Coast Water Quality Preservation, Inc. Those who do not do so are out of compliance with the ag waiver and therefore subject to enforcement. We are also sending out 215 NOVs (should be out by the time of the October Board meeting) to growers who have not paid for Cooperative Monitoring. Those that do not respond by the required date in the letter will be issued Administrative Civil Liability Complaints. Proposed fines will include both outstanding monitoring fees and additional fines. All those receiving ACL Complaints must either pay the fines or appear at a hearing before the Regional Water Quality Control Board. We anticipate that we will begin issuing monitoring ACL Complaints in November.

Summary
Although our budget is essentially the same as last year, we have additional opportunities this year. During this past year, we completed our new management team (with Lisa McCann and John Robertson joining Harvey Packard as our three Section Managers). We have invested in focused training for many of our staff. We are now following through with implementation of many of the methods and techniques we learned. Through continued alignment of our efforts; tracking of our performance; tracking of the results of efforts by our dischargers, responsible parties, and grantees; and through corrections prompted by careful tracking, we can accomplish much more with the same staffing. We are in an unprecedented period for grant funding for our water quality community, resource agencies, and local governments. Through coordination with these grantees on our mutual priorities, we can leverage our staff efforts to achieve real improvements in our watersheds far beyond our successes from past years.

ATTACHMENTS

1. Board NOV Letter dtd 9/4/07
2. Ventana Ltr dtd 9/16/07
3. Monterey County Ltr dtd 9/17/07
4. Ltr dtd 7/6/07 from Bob Berlage
5. Ltr dtd 8/23/07 from David Van Lennep
6. Underground Tanks Summary Report dated September 19, 2007

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