

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

**STAFF REPORT FOR REGULAR MEETING OF SEPTEMBER 7, 2007**

Prepared on August 6, 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 June 1, 2007, to July 31, 2007.

**WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED FROM JUNE 1, 2007 THROUGH JULY 31, 2007**

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage <sup>1</sup>	Mitigation <sup>2</sup>	Certified
Jeff Dunbar - Santa Barbara Foothills LLC	Preserve at San Marcos Energy Dissipating Outlet Structures	Replacement of a damaged 18 in. CMP storm drain with an 18 in. HDPE storm drain and installation of energy dissipating outlet structures at three sites.	Santa Barbara	Santa Barbara				Withdrawn
Karen Bewley-Caltrans	Culvert Replacement 0J1900	Replacing an existing 18-inch corrugated metal pipe with a 36-inch reinforced concrete pipe, installing a headwall, gabion baskets, and a concrete flared end section at the outlet.	Davenport	Santa Cruz	Unnamed drainage to the Pacific Ocean	0.04	1:1 Riparian	1-Aug
Jim Mazza-Land Trust for Santa Barbara County	Lower Refugio Creek Restoration Project	Eradicating four acres of <i>Arundo donax</i> along 1,280 linear feet of Refugio Creek and replacing with native riparian vegetation while employing biotechnical bank stabilization with willow fascines.	Goleta	Santa Barbara	Refugio Creek	0.067		25-Jul

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

<sup>2</sup> 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 <sup>1</sup>	Mitigation <sup>2</sup>	Certified
Glenn Priddy – SLO County Dept. Public Works	North River Road Widening Project	Widen approximately 700-foot reach of a road to provide a four-foot shoulder, place 2000 cubic yards of fill, and a 50-foot extension to an 86-inch diameter culvert.	San Miguel	San Luis Obispo	Unnamed tributary to Salinas River	0.05	0.10	18-Jul
Chevron Pipe Line Co.	Estero Marine Terminal Shore Plant Source Removal Project	Excavate petroleum hydrocarbon-containing soil and separate-phase petroleum hydrocarbons from three areas, and transport the soil off-site for treatment or disposal at an approved facility.	Morro Bay	San Luis Obispo	Toro Creek, Pacific Ocean	0.53	Wetland 3:1	
Water Resources Agency	Salinas Valley Water Project	Modify the Nacimiento Dam spillway to halt seawater intrusion into the Salinas Valley Groundwater Basin.	Northern Salinas River and Nacimiento Dam	Monterey	Salinas River	1.5	Streambed and Riparian 1:1	31-Jul
Kambiz Hakim	797 Ashley Road Habitat Restoration/ Mitigation Plan	The relocation of unauthorized boulder as requested by the DFG, and the mitigation at a 5:1 ratio to compensate for unpermitted cut-slope activities.	Montecito	Santa Barbara	Cold Springs Creek	0.0004	0.7	6-Aug

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage <sup>1</sup>	Mitigation <sup>2</sup>	Certified
SB County Parks	Lake Cachuma Boat Ramp Modifications— Placement of Temporary Haul Bridge	Construction of a temporary one lane bridge over an existing bridge, which will require two 6'x6'x2 deep concrete footings on a dry creekbed.	Lake Cachuma County Park	Santa Barbara	Lake Cachuma	.002	Riparian 2:1	7-Aug
Dale Lipp, City of Carpinteria Public Works	8th Street Pedestrian Bridge Replacement Project	Reconstruction of a pedestrian bridge using existing bridge as framework.	Carpinteria	Santa Barbara	Carpinteria Creek	0.0034	Riparian 1:1	

## WATERSHED REPORTS

### Once-Through Cooling Update [Michael Thomas 805/542-4623]

State Water Board staff provided a tentative outline of their schedule to draft a State Board policy regarding once through cooling for coastal power plants. The schedule is as follows:

August 2007 to mid October - Continue writing staff report and the associated draft state policy for compliance with Section 316(b) of the Clean Water Act - Assemble model permit working group

Mid- October 2007 to December - Electrical grid reliability contracted study concludes - Feasibility of alternate cooling study concludes - Incorporate contacting efforts and conclusions into staff report and policy - Draft report and policy to State Water Board management for review - Send draft report to Moss Landing Marine Laboratory and Expert Review Panel for scientific peer review

January 2008 - Release staff report and draft policy to public for review - Hold OTC Symposium at Cal/EPA building - Meeting of Expert Review Panel

March 2008 - State Water Board Public Hearing on draft policy, comments due

April 2008 - Respond to comments and edit the staff report and draft policy - Final draft policy released

June 2008 - State Board meeting, adoption of policy.

## CLEANUP REPORTS

### UST Program & MTBE Cases Update: Orcutt Chevron, 5006 Orcutt Road, Orcutt, and Case Statistics

Pursuant to Executive Order of the Governor, methyl tertiary-butyl ether (MTBE) was phased out of the gasoline formula from January 1, 2003 to January 1, 2004. At the July 6, 2007 Water Board meeting, Board Member Press inquired whether the ban on MTBE has resulted in a decrease in the number of new cases containing MTBE. The answer is no. Between January 1, 2003 and July 1, 2007, forty-seven new cases involving impacts to groundwater were discovered and reported to the Water Board. Twenty-seven of those recently discovered new cases contain MTBE. The rate of newly discovered cases, however, has generally slowed in recent years from 18 new cases in fiscal year (FY) 2004/05, to four in FY 2005/06, to six in FY 2006/07. **Attachment 1** presents a graph illustrating the number of all (e.g., with and without MTBE) new cases and number of all closed Central Coast Water Board-lead cases since the inception of the UST program in 1985. **Attachment 2** represents the number of closed cases as a percentage of newly reported cases. Both graphs illustrate a general decline in newly discovered cases over the last few years.

Also at the July 6, 2007 Water Board meeting, Board member Shallcross suggested that Water Board staff call Santa Barbara County local oversight program (LOP) staff to

see why it has taken so long for the responsible party to install permanent groundwater monitoring wells at the Orcutt Chevron, 5006 Orcutt Road, Orcutt site. Water Board staff left a message for LOP staff on Friday, July 7, and spoke with LOP staff and the responsible party's consultant on Tuesday, July 10.

Evidently, several factors contributed to the delay. The responsible party (a private individual) had by-pass heart surgery and was in the process of selling the property. The new property owner later became responsible for the environmental work and submitted a cost pre-approval request to the Underground Storage Tank Cleanup Fund. Around the same time, the new owner planned to demolish the active service station, remove the underground storage tanks, and excavate contaminated soil before property redevelopment. LOP staff and the responsible party's consultant agreed that it would be most effective if the demolition and excavation work were completed before installation of groundwater monitoring wells.

Notwithstanding the above, there is recent progress to report. The responsible party received pre-approval for further investigation work from the Cleanup Fund on June 6, 2007. The service station facility was demolished (prior to), and the underground storage tanks and contaminated soil were removed from the site during the week of July 27. A cone penetrometer rig is scheduled to be on the site August 8 through 10. The cone penetrometer rig will advance several groundwater sampling points, the results of which will be used to determine the best placement for permanent monitoring wells. Installation of permanent monitoring wells is anticipated for the week of August 31.

Underground Tanks Summary Report dated August 7, 2007 [Burton Chadwick 805/542-4786] [See Attachment 3]

## **REGIONAL REPORTS**

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

In addition to routine monthly monitoring, Central Coast Ambient Monitoring Program (CCAMP) field staff has completed 24-hour dissolved oxygen monitoring for all sites in the Santa Maria watershed rotation area and at coastal confluence sites where feasible. Sags or large swings in oxygen concentration are indications of nutrient over-enrichment or other chemical or temperature impairment.

CCAMP staff has coordinated with the Surface Water Ambient Monitoring Program's (SWAMP) state-wide bioaccumulation study, to conduct fish tissue bioaccumulation monitoring at the following lakes: Uvas, Chesbro, Hernandez, Pinto, Nacimiento, San Antonio, Lopez, Santa Margarita, Cachuma and Oso Flaco. Several of these lakes have been identified in CCAMP Hydrologic Unit Reports as priority sites for follow-up as a result of single bioaccumulation sampling events from sampling in previous watershed rotation years.

CCAMP staff is managing two new grants that will provide data to support ambient monitoring in the Central Coast Region. The first is through California State University at Monterey Bay, and is focused on developing an Index of Biotic Integrity for periphyton. Periphyton are the microalgae and diatoms attached to rock surfaces in the stream bottom. Algal species composition can be used as an indicator of stream health, in the same way that we use benthic invertebrate composition. Algal bioassessment holds particular promise as a tool to determine whether streams are impaired by nutrient over-enrichment. The second grant is examining three of our larger coastal lagoons for impairment associated with toxicity from pesticides. This study will provide a baseline evaluation against which future monitoring can be compared to assess change. This study also includes work in upstream areas to evaluate sources.

CCAMP staff attended a meeting held by Ocean Protection Council staff at the Monterey Bay National Marine Sanctuary offices. The intent of the meeting was for OPC to understand the status of monitoring on the Central Coast, particularly with regard to Marine Protected Areas and other ocean-related priorities. Our Coastal Confluences monitoring program is well-aligned with Marine Protected Area locations. The Ocean Protection Council is a potential source of funding for expansion of monitoring activities along the coast.

Mary Adams and Shanta Keeling have been working with Angela Schroeter to format and ready data and information to update 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). They have participated in bi-monthly 303(d) conference calls with State Board staff. Mary has circulated a list of the numeric criteria for internal peer review and compiled a list of comments. Mary is currently organizing focus groups to make decisions on how to assess data and information using narrative objectives (i.e. trash, invasive and non-native species, toxin producing algae and biostimulation). All data received and available have been converted to a SWAMP compatible format. Shanta and Mary should be able to begin assessments and completion of the associated fact sheets by the end of August. Each water body/pollutant/beneficial use combination requires a separate fact sheet. Staff plans to hold a public workshop between October and December 2007 to discuss staff recommendations with stakeholders. Staff will present the 2008 Integrated Report for the Central Coast Region to the Central Coast Water Board for consideration in February or March 2007. The State Board and USEPA will approve the report for the whole state.

CCAMP staff is in the process of rebuilding our entire data management approach, to be more directly SWAMP compatible and to best support our new Board Vision. This entails redesign of our web site and our many data management tools. This task was needed, but became increasingly urgent when our existing software was disabled by Microsoft system upgrades. Our most time-sensitive task is to rebuild our data scanning tools which support the 303(d) listing process, now underway. We will be evaluating over 400,000 lines of data against water quality criteria using the new

scanning code. Dave Paradies and Mary Adams are also working on re-loading CCAMP data and flags into the SWAMP data delivery template, and are creating the site and water body reach list that will be used by State Board to generate maps depicting impaired water bodies.

**CCAMP Notes from the Field:** CCAMP field staff interrupted cleanup of a California Department of Transportation project on Highway One north of Santa Cruz on July 9, 2007. CCAMP staff observed and documented a Cal Trans crew member rinsing asphalt off the conveyor belt of a grinder machine and allowing rinse water (which contained asphalt pieces and oil) to flow into a storm drain. CCAMP staff (Mary) spoke with the Resident Engineer on site and provided incident information and photos to Dave Innis of the Stormwater Unit. Dave Innis immediately followed up with Cal Trans, who provided photo documentation of the cleanup. Cal Trans used a Vactor truck to pump all debris out of the storm drain sump on July 10, 2007 and lined the storm drain with sand bags to prevent future construction debris from entering the drain. Incident report and follow up documentation is available upon request.

CCAMP staff organized a meeting with Ag waiver, Storm Water and TMDL staff to discuss repeated observations of human feces and trash at many CCAMP monitoring sites. This group agreed on a procedure for follow up when these conditions are persistent and created a contact information list for cities, counties and land owners. In short, first response is for CCAMP staff to contact the appropriate owner (private land owner, city, county, or State agency) and the appropriate Regional Board staff person (stormwater, TMDL, Ag waiver, NPS) and notify them of the problem observed by monitoring staff. If additional waste is observed in future site visits, CCAMP staff will notify Water Board enforcement staff of repeat incidents, and will contact appropriate County Environmental Health Department personnel.

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

USEPA approved the following TMDLs in July 2007:

- Chorro Creek Nutrient TMDL
- Watsonville Sloughs Pathogens TMDLs

Staff will continue to work on the following TMDL tasks or reports in fiscal year 2007-2008:

- Corralitos Creek Pathogen TMDL- Draft Project Report
- Salinas River Pathogens TMDL- Draft Project Report
- Salinas River Pesticides TMDLs –Draft Project Report
- Watsonville Sloughs Pesticides TMDL- Draft Project Report

Staff will work on the following new TMDL tasks or reports in fiscal year 2007-2008:



- Aptos and Valencia Creeks Pathogen TMDLs- Final Project Report and Presentation to Water Board
- Pajaro River and Tributaries Pathogen 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

Staff is also analyzing data and assessing conditions of waterbodies to update 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). Staff plans to hold a public workshop between October and December 2007 to discuss staff recommendations. Staff will present the recommendations to the Central Coast Water Board for consideration in February or March 2007. The 2008 Integrated Report will be presented to the State Board between April and September 2008, and then submitted to USEPA for approval.

## ADMINISTRATIVE REPORTS

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

Staff environmental scientist Mary Adams gave a guest lecture and half-day training to a Cal Poly Forestry and Natural Resources course at Swanton Pacific Ranch on July 5, 2007. The training focused on using benthic macroinvertebrate assessment to classify streams (class I, II, or III) for a Timber Harvest Plan. The day consisted of a one hour lecture in the classroom and a four hour training in the field. Following the training, students conducted an assessment of their plots to determine the stream class (based on the benthic macroinvertebrate community they observed).

Staff members David Innis, Donette Dunaway, Ryan Lodge, Dominic Roques, Lisa McCann, and Jennifer Bitting attended the Water Board Academy's Low Impact Development Advocacy Workshop in Rohnert Park, July 18 -20, 2007. Jennifer Bitting, Stormwater Program staff engineer, presented a Low Impact Development case study from the Central Coast Region. The workshop brought together state agencies and the regulated community on the coast of California (Water Board Regions 1, 2, and 3) to discuss Low Impact Development and the ways in which the two groups can work together to make it a reality in the environment.

Ag regulation staff made presentations at three Farm Water Quality Planning short courses. To date, the short courses have provided education to over 2000 farmers in

the Central Coast. Regional Board staff members have made presentations at every course offered throughout the past six years.

In addition to the Ag Regulation Program, most ag regulation unit staff also manage ag-related grants and contracts. Staff attended grant management training in July. One staff member attended pervious concrete and riparian processes workshops. Another staff person attended the International GIS User Conference.

The ag regulation unit is developing its field inspection program, which begins in August. Prior to conducting inspections, staff arranged for technical assistance experts from partner agencies to provide staff with training on irrigation and nutrient management. Staff also met with several growers to get input on inspection forms and procedures.

Twenty-two technical staff representing the Groundwater Protection Section programs (Land Disposal/Department of Defense, Underground Tanks, and Site Cleanup Program units) will attend the All Cleanup Programs Conference in San Diego September 4<sup>th</sup> through 6<sup>th</sup>. Groundwater program staff from all the Regional Water Boards and the State Water Board will attend this conference. The State Water Board organizes this conference every 18 months with the goal of fostering increased knowledge in changing groundwater cleanup technologies and goals through technical presentations, panel discussions, and informal staff exchanges. By developing communication and awareness among technical staff across regional boundaries, we hope to increase consistency in the application of groundwater cleanup goals, technologies, and approaches. Diane Kukol, Dean Thomas, Hector Hernandez, Kristina Seley, Linda Stone, and Thea Tryon of this office are scheduled to provide poster presentations for technical projects on which they currently work. These presentations include "Perchlorate in Groundwater - the Olin Case" (Thea Tryon and Hector Hernandez), "Successful Mediation - Unocal/Chevron Former Guadalupe Oil Field Cleanup" (Diane Kukol), "Technical Approach and Successful Remediation at Comingled Volatile Organic Compound (VOC) and Perchlorate Groundwater Plumes" (Kristina Seley), "Groundwater Discharge to Surface Water: a Complete Pathway" (Linda Stone), and "Evapotranspirative Landfill Cover - How Does One Demonstrate Equivalence to the Prescriptive Standard?" (Dean Thomas).

Cleanup staff supervisors and Roger Briggs are meeting with Chevron's Environmental Manager Gonzalo Garcia to develop methods for improving consistency in establishing cleanup levels as a follow up to discussion from the June Board meeting Strategic Planning session about regional and statewide consistency. Roger attended the Chairs/EO meeting in Sacramento, and cleanup level consistency was also identified at that gathering as an area for improvement.

Challenge of Board Action [Roger Briggs 805/549-3140]

Conner Everts and the Desal Response Group filed a petition with the State Board regarding the Regional Board's adoption of the permit for the Ocean View desal project,

but asked for it to be held in abeyance pending attempts to resolve issues with us (granted by State Board).

Funding Proposal for Central Coast Ambient Monitoring Program and Low Impact Development Institute [Roger Briggs 805/549-3140]

Karen Worcester and Roger Briggs met with DFG/Oil Spill Prevention and Response (OSPR)'s Melissa Boggs and the Coastal Conservancy's counsel Elena Eger. This trio of agencies constitutes the Guadalupe Settlement Fund Committee. We discussed the status and future of the Restoration Fund, which the Fund Committee oversees and allocates, and the Water Quality Fund, which the Regional Board allocates (after input from all). After discussing perceptions, expectations, and misunderstandings regarding fund allocation, we decided it would be helpful for us to discuss our priorities and funding status with the Dunes Collaborative (likely at their Fall meeting), which has essentially replaced the Public Advisory Committee established in the Settlement Agreement. We also agreed on a method for DFG and Coastal Conservancy to consult with us on project evaluations for possible funding from the Restoration Fund from the Guadalupe settlement, which is supposed to be managed by all three agencies (we would like to focus our efforts on water quality projects).

Roger and Karen explained that, while the Board did not get to item 23 on this topic at the July meeting, staff's proposal was to continue to develop the LID Institute concept for later approval. We were also going to recommend to the Board (had we taken up that item) that we bring back the CCAMP funding proposal to the Board at the same time as the LIDI proposal (i.e., around the first meeting of 2008). This interim time allows for significant stakeholder involvement, education about regional priorities (as we have been developing and articulating over the last three years), and a better common understanding of the highest and best use of various fund sources (i.e., not only Guadalupe Settlement Funds, but the unprecedented current opportunity provided by Prop 50 & 84 grant money).

We will continue with our stakeholder involvement in our proposal for our highest priority projects funding in the next few months, as well as continuing to develop our proposal for a LID Institute in preparation for this matter to come before the Board in the first part of 2008.

## **ATTACHMENTS**

1. Graph Depicting Number of New Cases and Closed Cases Since 1985
2. Graph Depicting Number of Closed Cases as a Percentage of Newly Reported Cases
3. Underground Tanks Summary Report dated August 7, 2007