

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

STAFF REPORT FOR REGULAR MEETING OF DECEMBER 13, 2002

Prepared on November 6, 2002

ITEM: 27

SUBJECT: Executive Officer's Report to the Board

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

Watershed and Cleanup Branch Reports

**REGULATION SUMMARY OF
OCTOBER 2002**

[Corinne Huckaby 805/549-3504]

Orders

Reports of Waste Discharge Received	9
Requirements Pending	53
Inspections Made	40
Self-Monitoring Reports Reviewed (WB)	140
Self-Monitoring Reports Reviewed (CB)	4
Stormwater Reports Reviewed	8

Enforcement

Non-Compliance Letters Sent:	
NPDES Program	0
Non-Chapter 15 WDR Program	2
Chapter 15 Program	0
Unregulated	1
Stormwater	36
CAOs Issued	0
ACL Complaints	1

WATER QUALITY CERTIFICATIONS

[Corinne Huckaby 805/549-3504]

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

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

Staff will recommend "No Action" when no discharge or adverse impacts are expected. Generally, a project must provide beneficial use and habitat enhancement for no action to be taken by the Regional Board. A chart on the following page lists applications received from October 1, 2002 to November 15, 2002.

WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED FROM OCTOBER 1 THROUGH NOVEMBER 15, 2002

Monterey	October 15, 2002	Monterey County Water Resources Agency	Salinas Valley Water Project	Salinas River	Northern Salinas River and Nacimiento Dam	Pending
	October 22, 2002	California American Water Company	Los Padres Dam Fish Ladder Improvements	Carmel River	Los Padres Dam, Monterey County	Pending
San Benito	October 23, 2002	National Park Service	Chalone Creek Restoration	Chalone Creek	Pinnacles National Monument, San Benito County	Pending
San Luis Obispo	October 4, 2002	Avila Beach Community Services District	Avila Beach Marine Outfall Repair and Extension	Pacific Ocean	Avila Beach	Pending
	October 4, 2002	City of Paso Robles	Thunderbird Wells 16" Water Line	Salinas River	Paso Robles	Pending
	October 15, 2002	Cambria Community Services District	Cross Town Trail	Santa Rosa Creek	Cambria	Pending
	October 31, 2002	CVM Properties LLC	Culvert Replacement Parcel #046-221-050	Unnamed tributary to Morro Creek	South of Atascadero	Incomplete Letter Sent
	November 7, 2002	Robin Rossi	Pond maintenance and enhancement	Santa Margarita Creek	Santa Margarita	Pending
	November 14, 2002	Rancho Santa Rita Family Trust	Bank repair project	Santa Ynez River	Lompoc	Pending
Santa Barbara	October 7, 2002	Santa Barbara City College	SBCC Creek Channel Maintenance	Unnamed drainage tributary to Pacific Ocean	Santa Barbara	Pending
	October 18, 2002	State Lands Commission	Santa Barbara Channel Hazards Removal Program	Pacific Ocean	Santa Barbara Channel coastline	Pending
	October 21, 2002	Hanson Aggregates	First 5-year MRP for Sisquoc River	Santa Maria River	Santa Maria	Pending
	November 15, 2002	Santa Barbara Co PWD	Mahoney Rd storm damage repairs	Unnamed blueline stream	Santa Maria	Pending
Santa Clara	October 4, 2002	Glen Loma Group	New Streets to Middle School at Glen Loma Ranch	Uvas Creek	Gilroy	Pending

WATERSHED BRANCH REPORTS

Status Reports

Carpinteria Valley Greenhouse Update [Mike Higgins 805/542-4649]

New Information is italicized.

Santa Monica and Franklin Creeks (Creeks) discharge into the Carpinteria Marsh (Marsh). The University of California at Santa Barbara, Santa Barbara County's Project Clean Water, and this

Region's Central Coast Ambient Monitoring Program have monitored the Creeks and Marsh for several pollutants, including nitrate. The data show the Creeks often discharge nitrate at levels exceeding water quality objectives to the Marsh. Additionally, data obtained from the County Agricultural Commission demonstrate substantial pesticide use in the area. Discharges to the Creeks from greenhouses, nurseries, field crops, and orchards may be nitrate and pesticide sources. In addition, confined animal facilities and surfacing groundwater may be additional nitrate sources. The excess nitrate and pesticides discharged to the

Slough either impair or threaten to impair the Marsh's beneficial uses, including wildlife and estuarine habitat, migration and spawning of aquatic organisms, preservation of habitats of special significance, and uses by rare and endangered species.

In recent years, the Carpinteria Valley's mild climate and proximity to large markets in Southern California prompted horticulturists to substantially increase the number of greenhouses in the area. To reduce expenses and increase production, most greenhouses improved their growing practices, thereby reducing adverse effects on water quality. The greenhouses often converted to hydroponic systems, which generate much less wastewater and require much less fertilizer than earlier in-ground or potted growing methods. Many greenhouse operators capture, treat, and return the small wastewater flows to the irrigation system for reuse. However, some greenhouses discharge irrigation runoff and water softener wastewaters directly to outdoor ditches, which then drain to the creeks.

In June 2001, staff inspected six greenhouses suspected of discharging wastewater to Santa Monica and Franklin Creeks. Inspections found that all had converted to hydroponic systems, and recycled all irrigation runoff. However, four of the six greenhouse operators discharged small flows of water softener wastewater to the Creeks and Marsh.

Currently, there are no permits for the discharge of wastewater from the greenhouses in the Carpinteria Valley, although there are known wastewater discharges. As a result, in a July 2001 letter, the Executive Officer advised all greenhouse owners and operators in the Carpinteria Valley:

- Of the applicable legal requirements and recommended they cease discharges of polluted wastewater to surface waters without an NPDES permit;
- To submit, in accordance with Water Code Section 13267(b), a technical report from each describing existing and proposed waste disposal methods;
- To submit an application for an NPDES permit, in which the Regional Board would require pollutants to be eliminated from the discharge (for those who intend to continue

- discharge wastewater to surface waters), and,
- If the greenhouse or nursery proposes to cease discharging wastewater to surface waters, to submit a technical report proposing management measures and a time schedule to implement them.

In August 2001, a Regional Board subcommittee conducted a public workshop to discuss issues raised in the July 2001 letter. Subsequently, all 51 greenhouse and nursery operators, representing more than 175 greenhouses, responded to the July 2001 letter request. Almost all stated they intended to cease discharging to surface waters, and provided compliance time schedules and plans to do so.

In late September, local citizens submitted information pointing out possible greenhouse discharges. *Regional Board staff inspected the alleged discharges and informed the individual greenhouse/nursery operators of the inspection results as well as the Santa Barbara County Flower Growers Association. Subsequently, the operators eliminated most of the reported discharges. Regional Board staff will continue to address the few remaining discharges.*

Staff will periodically monitor the creeks to evaluate the effect of eliminating greenhouse discharges on water quality in the Creeks and Slough, compared to baseline data. The surface water monitoring will also be used to identify other potential sources of contaminants within each watershed. The work group will update the Regional Board again at the May or July Board meeting.

In March 2002, staff formed a small work group to address greenhouse wastewater discharges in the Carpinteria Valley. By inspecting each greenhouse or nursery, work group members confirmed the information submitted by greenhouse operators in the technical reports. *Regional Board staff completed initial compliance inspections at 47 of 51 greenhouse or nursery operations, and will conduct "follow-up" inspections at selected facilities, including those that provided a schedule to eliminate the discharge. The attached greenhouse table reflects each of the facilities we have visited along with their inspection and compliance status. Regional Board staff continues to work with greenhouse operators that have not yet eliminated their discharges, accepting the operators'*

compliance schedule where reasonable.

The work group is using the "environmental problem solving" techniques described by Malcolm Sparrow. As recommended by the State Board for all regions for fiscal year 2002-2003, staff designated the greenhouse issue as a pilot project to illustrate problem solving techniques. *After completing the pilot project, in an effort to reduce additional pollutant discharges into the Creeks, Regional Board staff proposes to expand the use of Sparrow's ideas to address discharges from other likely pollutant sources in the Arroyo Paredon, Santa Monica, and Franklin Creek Watersheds. These likely sources include orchards, confined animal facilities, and field crops. Sampling results indicate that groundwater is also contributing to nitrate impacts in the Creek, as it surfaces just inland from the 101 freeway in Carpinteria..*

[See Attachment No. 1]

Basin Plan Exemption Request [Matt Fabry 805/549-3458]

Regional Board staff approved a request from Mr. Ray Mariotinni (landowner) and Carla and Angelo Loomis (residents) for an exemption to the Basin Plan prohibition regarding separation to groundwater for individual sewage disposal systems. The exemption application proposed a mounded septic system for a single family dwelling at 6802 Lover's Lane in San Benito County, near the City of Hollister. The County of San Benito, Division of Environmental Health (County Health) approved the initial design and forwarded the application to the Regional Board for final review and approval.

The proposed system was designed to accommodate shallow groundwater conditions (three to four feet below the ground surface) at the subject property. The system was designed in accordance with the State Water Resources Control Board's 1980 *Guidelines for Mound Systems*, and 1998 *Draft Guidelines for Mound Systems*. Regional Board staff reviewed and commented on the initial proposal, which is conservatively designed and will be monitored on a semi-annual basis by the design engineer or registered professional. In addition, County Health

staff will monitor the system after all rainfall events resulting in greater than one inch of precipitation.

Regional Board staff included standard approval conditions that prohibit deviating from design plans or exceeding flow limitations, and require notification of any changes in the volume, nature, or location of the discharge, or of any discharges threatening water quality or public health. Annual reports to County Health are required detailing the results of all monitoring activities. County Health staff issued a final permit for the proposed system.

Las Tablas Creek TMDL [Doug Gouzie 805/542-4762]

During the November 1, 2002 Board meeting, discussion of Item 6 (Las Tablas Creek and Lake Nacimiento TMDL for Mercury) included a question asking if Board staff had reviewed any mercury data from drinking water intakes at Lake Nacimiento.

Staff has reviewed drinking water intake sampling files shared with us by the Department of Health Services (DHS) and located 3 drinking water supply wells along the north shore of Lake Nacimiento. DHS does require mercury analyses of these wells and their database indicates that all 21 samples reported from 1984 to 2000 were below detection levels ("ND") for mercury.

CLEANUP BRANCH REPORTS

Status Reports

Underground Tanks Summary Report dated November 14, 2002 [Jay Cano 805/549-3699]

[See Attachment No. 2]

Olin Corporation, 425 Tennant Avenue, Morgan Hill, Santa Clara County [John Mijares 805/549-3696]

New information is italicized.

The former Olin Corporation site is a 13-acre parcel it purchased in 1956 [See Attachment No. 3]. Olin manufactured signal flares at the facility for about 32 years from 1956 to 1988. Standard Fusee leased the site and manufactured signal flares for seven years from 1988 to 1995. Potassium perchlorate was used in the manufacture of flares by both Olin and Standard Fusee. Perchlorate contamination at the site may have come from an unlined evaporation pond that received wastes from the cleaning of the ignition material mixing bowls, on-site incineration of cardboard flare coatings with residues on them, and accidental spills. Perchlorate was initially detected in groundwater samples collected from borings advanced during an August 2000 due-diligence investigation by a prospective purchaser of the site at concentrations ranging from 21 to 55 µg/l. Subsequently, three monitoring wells were installed in October 2000 to obtain reproducible and accurate measurements of perchlorate in groundwater and to determine the groundwater flow direction and gradient. The three monitoring wells were installed to a depth of 35 feet below ground surface (bgs). Results of groundwater monitoring from October 2000 to the most recent monitoring in September 2002 show concentrations of perchlorate vary from not detected to a high of 340 µg/l in well MW-3. The depth to groundwater has ranged from about 17 feet bgs to below 35 feet bgs. The groundwater flow direction is predominantly to the south-southeast with occasional variation to the south and south-southwest. All three monitoring wells are considered downgradient of the potential perchlorate source areas.

Groundwater in the region typically occurs in alluvial sediments, at depths ranging from 20 to 400 feet below ground surface. The alluvial deposits are composed of heterogeneous layers of clay, silt, sand, and gravel. Interconnected multiple aquifers exist within the area. Groundwater underneath the site is generally unconfined, although there are identified confined zones within the sub-basin to the southeast of the property.

March 2002 Soil and Groundwater Investigation

In March 2002 soil and groundwater were investigated at five potential source areas (former north septic tank, former hazardous material

storage area, former wastewater evaporation pond, former production building 5 hopper, and former production building 5 mixer) to further assess the source and extent of perchlorate, lead, and chromium. Results of the investigation indicated that lead was not a constituent of concern and no further action was needed. The investigation also indicated that total chromium may not be a problem in soil; however, the groundwater concentration in the former north septic tank area slightly exceeded the 0.1 mg/l maximum contaminant level for chromium. Since hexavalent chrome, which has greater toxicity compared to total chromium, was not included during the initial investigation, hexavalent chrome was left on the list of chemicals of concern for the next phase of the soil and water investigation. Perchlorate was detected at concentrations below EPA health-based screening levels in several shallow soil samples located on the perimeter of the former building 5 and the former hazardous material storage areas. Results of the soil analysis appear to indicate that the extent of perchlorate near portions of these two areas was still not completely characterized. In groundwater, perchlorate was detected above the 4 µg/l Department of Health Services (DHS) action level up to a maximum of 167 µg/l in water samples collected from five CPT borings advanced to a depth of 200 feet bgs. The groundwater data indicate a potential for lateral migration of perchlorate in the shallow groundwater zones (less than 100 feet bgs). However, it is unclear how perchlorate is migrating laterally (between about 100 and 175 feet bgs) and vertically within the deeper groundwater zones (from 100 to about 400 feet bgs), requiring additional groundwater investigation.

Phase 2 Soil and Groundwater Investigation

To follow up on the March 2002 investigation, Olin completed a Phase 2 soil and groundwater investigation. The purpose of the investigation was to further determine the extent of perchlorate and chromium at the site and to fill data gaps. The field work for the Phase 2 investigation was completed on October 2, and the final investigation report is due on December 2, 2002.

To determine whether perchlorate has migrated off of its property, Olin sampled 27 domestic water

supply wells located within one-half mile downgradient of the site (Tier 1 wells). Perchlorate was detected in four wells at concentrations ranging from 9.5 to 98.4 µg/l. Olin informed the well owners and tenants of the perchlorate detections, advised them not to drink or cook with the water, and supplied them with bottled drinking water.

Groundwater Monitoring

On December 14, 2001, the Executive Officer issued Monitoring and Reporting Program (MRP) No. 01-161 to Olin Corporation. The MRP requires quarterly monitoring of on-site monitoring wells (MW-1 to MW-3) and the City of Morgan Hill's Tennant Avenue municipal well for perchlorate, depth to groundwater, and groundwater elevation. The most recent groundwater monitoring was conducted in September 2002. Monitoring wells MW-1 and MW-2 were found to be dry. For MW-3, depth to groundwater was 33.9 feet below ground surface. Perchlorate was not detected above the 2 µg/l detection limit in MW-3 and the Tennant well. The Tennant well has been shut down since March 2002 because of perchlorate detections.

Tier 2 Domestic Well Monitoring

Since perchlorate was detected in four Tier 1 wells, Olin has begun sampling domestic wells located between one-half mile and one mile of the Olin site (Tier 2 wells). With assistance from the Santa Clara Valley Water District staff, 33 domestic Tier 2 wells were identified for sampling. Regional Board staff sent letters to all the well owners soliciting permission to sample the wells. Olin supported the effort by sending certified letters to all the well owners and intends to go door to door if written or verbal authorization is not received from any well owner. As of October 28, Regional Board staff received verbal or written permission to sample 14 Tier 2 wells.

As of November 1, 2002, perchlorate was detected in one Tier 2 well, at a concentration of 9.6 µg/l. Olin will notify the well owner, advise him not to use the water for drinking or cooking, and supply

bottled drinking water. Sampling of other Tier 2 wells is in progress.

Other Perchlorate Detections Downgradient of the Olin Site

San Martin County Water District informed us that perchlorate was detected at 5.2 µg/l in a water sample collected from its Camping World well on August 20, 2002. This well is located about 2.3 miles southeast of the Olin site. The water district serves about 200 connections from this well and currently pumps the well at rates varying between 800 to 1500 gallons per minute. The water district has re-sampled the well for perchlorate but the results had not been reported as of the date of this report. The water district has notified all its customers of the perchlorate detection in this well.

Perchlorate was detected at 4.3 µg/l in another district well located about 3.2 miles south-southeast of the Olin site. This well is being used solely by the personnel of Allwaste Transportation and Remediation Company. The water district has re-sampled the well for perchlorate but the results had not been reported as of the date of this report.

Conclusion

Olin has completed the Phase 2 soil and water investigation and will submit the investigation report by December 2, 2002. Meanwhile, Olin is sampling downgradient wells to determine the extent of perchlorate migration. Whenever perchlorate is detected above the action level of 4 µg/l in the Tier 2 wells, Olin will inform the owners, advise them not to use water for drinking or cooking, and supply bottled drinking water.

Regionwide Reports

Regional Monitoring [Karen Worcester 805/549-3333]

Monitoring Activities

Our Regional Monitoring Program is called CCAMP, for Central Coast Ambient Monitoring

Program. We recently worked with Department of Fish and Game to complete a special CCAMP study at several local beaches to assess these beaches for presence of contaminants. The California Department of Fish and Game collected sand crabs for tissue chemistry analysis at Avila, Port San Luis beach, and Toro Beach north of Morro Bay. In addition, surf perch were caught at Avila Beach for tissue analysis. Analysis will focus particularly on polyaromatic hydrocarbons. This study will serve as a follow-up to sampling conducted through funding provided by the Guadalupe settlement two years ago by U.C. Santa Barbara and the Department of Fish and Game. That study detected polyaromatic hydrocarbons, PCBs and diazinon at Avila Beach; the final report is not yet available.

The Central Coast Ambient Monitoring Program was the subject of a talk presented by Karen Worcester at the "California and the World Ocean" conference in Santa Barbara, October 17 - 19. This conference was extremely well attended (over 900 attendees) and there were a number of excellent and relevant talks on important ocean issues. The conference was organized by CalEPA and the California Resources Agency. The intent of the conference was to revisit and update "California's Ocean Resources: An Agenda for the Future", a planning document developed in 1997. A paper on the CCAMP program will be finalized for inclusion in the conference proceedings.

The Surface Water Ambient Monitoring Program held a three-day workshop and roundtable meeting in Davis on October 15 and 16. The Quality Assurance Program Plan for the program is being finalized and several technical issues were resolved at the meeting. The data management system for the program is ready to begin receiving data, and it is currently anticipated that the CCAMP Excel based data screening system will be used to extract data from the system for delivery to Regional Boards.

CCAMP staff met with the Watershed Assessment unit to discuss ways to utilize Watershed Assessment unit staff in developing assessment information from CCAMP data. Staff will aid in collecting and compiling existing flow data, and will help rectify discrepancies between Basin Plan water body lists and those currently available in the

305(b)/GeoWaterBody system and the National Hydrography dataset. Staff will also aid in development of assessment information from watershed monitoring data.

Nearly \$500,000 in Proposition 13 funding was obtained by CCAMP program cooperators to study tissue chemistry of the southern sea otter. Funds will be used to conduct analysis of tissues of otters for which complete necropsy information is available. We hope to be able to learn more about relationships between tissue burdens of chemicals and mortality from pathogenic disease. We also hope to develop spatial relationships associated with high tissue burden of chemicals. Grant recipients include the California Department of Fish and Game Marine Wildlife Veterinary Care and Research Center and the Central Coast Long-term Environmental Assessment Program (CCLEAN). CCLEAN is a partnership of local Monterey area dischargers who have reconfigured their receiving water monitoring programs under Regional Board direction to evaluate ambient conditions in Monterey Bay.

Basin Planning

Basin planning staff participate in several statewide committees related to development of nutrient and bacteria criteria, and development of new onsite wastewater disposal system standards. Status reports of these various efforts are described:

Nutrient Objectives for California

Nutrients are a significant water quality problem nationwide. In California, data imply that excess nitrogen (N) and phosphorus (P) are the third leading cause of water quality impairment. The United States Environmental Protection Agency (U.S. EPA) has proposed N and P criteria under Clean Water Act §304(a). U.S. EPA has also developed guidance documents that detail methods for developing new criteria.

U.S. EPA has given states three options regarding the creation and implementation of nutrient criteria: 1) employ methods outlined in the guidance documents, 2) directly adopt proposed §304(a) criteria or 3) use other scientifically defensible methods to develop criteria. Whatever

the approach, continued progress is necessary to prevent promulgation of §304(a) default criteria at the end of 2004. Nationwide criteria may not fit California very well.

The U.S. EPA Region IX Regional Technical Advisory Group (RTAG) and the State/Regional Board Technical Advisory Group (STRTAG) oversee nutrient objective development for EPA Region IX and California, respectively. In 1999, RTAG commissioned a study to evaluate methods from the guidance documents (option 1). Results indicated that U.S. EPA's methodology would not adequately reflect conditions in California. Consequently, Regional Board representatives, as members of RTAG, voted unanimously to pursue option three (use other scientifically defensible methods to develop criteria).

The rationale for using a scientifically defensible method unique to California is that U.S. EPA's guidance document methods assume there is a consistent relationship between nutrient levels in waters used to develop the criteria and the wide diversity of waterbodies from the western United States. This relationship was established with data from MN, NY and TN, but with no data from the western United States. The U.S. EPA approach would also place many waters in immediate non-compliance, necessitating site-specific objectives or other corrective actions. Finally, the U.S. EPA approach may lead to unnecessary and widespread 303(d) listings.

A consultant, Tetra Tech, has been hired to conduct the technical work and coordinate RTAG/STRTAG meetings. As part of these efforts, it is anticipated that nutrient-caused impairment will be clearly defined, providing a scientifically defensible rationale for Clean Water Act §303(d) listing/delisting decisions. Modeling techniques will also be developed that should allow Regional Board staff to delineate important factors to control eutrophication in surface waters. The State work plan detailing the scientifically defensible method for criteria development is in draft form. Comments were provided to Tetra Tech in August 2001. The process is currently stalled due to contract difficulties. Development of nutrient criteria will begin once the work plan is completed in early 2003.

State Board Bacteria Technical Advisory Committee (BTAC) for the Update of the California Ocean Plan

In April 2001, the State Water Resources Control Board put together a Bacteria Technical Advisory group to consider updating the California State Ocean Plan's bacterial water contact standards. From April through July 2001, State Board and Regional Board staff prepared draft language for proposed revision of the Ocean Plan. The process stalled in July 2001, when the State Board determined that Ocean Plan bacterial standards revision was of lower priority than other issues. State Board staff members plan to resume the process and bring the amendments revising Ocean Plan Water Contact Standards (updating water quality objectives to include *Enterococcus*) to a State Board workshop in early 2003.

Regional Board staff members plan to update Basin Plan objectives to include *Enterococci* standards for the protection of primary contact recreation in marine waters in July 2003.

Assembly Bill (AB) 885 Update – Porter-Cologne Water Quality Control Act (January 1, 2002), Chapter 4.5 Onsite Sewage Treatment Systems, Sections 13290, 13291, 13291.5, and 13291.7

AB 885 requires the State Water Resources Control Board to adopt, on or before January 1 2004, (in consultation with the State Department of Health Services, the California Coastal Commission, the California Conference of Directors of Environmental Health, counties, cities, and other interested parties), specified regulations or standards for the permitting and operation of prescribed onsite sewage treatment systems that meet certain requirements.

- From April through August 2001, the State Board developed the approach to be used to address AB 885 tasks.
- In September 2001, the State Board procured contract facilitation services to help implement State Board actions to address AB 885.
- The State Board held meetings from November 2001 through October 23, 2002 to solicit public input and address the tasks of AB 885.

- The State Board prepare draft regulations and received comments from meeting participants on the regulations in September and October 2002.
- The State Board will release draft regulations for public review in late December 2002.

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

Regional Board staff in the Watershed Assessment Unit continue to implement priority activities of the Total Maximum Daily Load (TMDL) Program.

See Attachment No. 4: Planned TMDL Components/Projects to be Completed During Fiscal Year 2002-2003.

Main activities in progress during the second quarter of fiscal year 2002-2003 include the following:

- Participate in development of State Policy for Identifying Impaired Waters pursuant to Clean Water Act Section 303(d) and development of State TMDL guidelines pursuant to Assembly Bill 469;
- Prepare and propose Basin Plan Amendments for Las Tablas Creek Mercury TMDL, Chorro and Los Osos Creeks Nutrient and Dissolved Oxygen TMDL, and the Morro Bay Pathogens TMDL;
- Complete Draft TMDL Reports for Salinas River Siltation TMDL;
- Continue preparation of Draft TMDL Reports for San Luis Obispo Creek Nutrients and Pathogen TMDLs, and Pajaro River Nutrients TMDL;
- Complete preliminary TMDL components (problem statements, numeric targets, and/or source analysis) for several additional TMDLs
- Scope TMDL development needs for additional listed waterbodies;
- Specific activities to be accomplished during the second quarter of fiscal year 2002-2003 include the following:
- Prepare and/or review internal draft sections of the State Policy for Identifying Impaired Waters and State TMDL guidelines;

- Recommend adoption of Basin Plan Amendments for Chorro and Los Osos Creeks Nutrient and Dissolved Oxygen TMDL, and the Morro Bay Pathogens TMDL to the Regional Board;
- Complete Draft TMDL Reports for Salinas River Siltation TMDL;
- Prepare draft source analysis OR delisting recommendation (depending on final data analysis) for Morro Bay Metals TMDL;
- Rescope the Santa Cruz County Pathogen TMDLs project (*see attached Table*);
- Prepare Administrative Record for San Lorenzo River Sediment TMDL and submit to State Board;
- Prepare draft source analysis for San Luis Obispo Creek Pathogen TMDL;
- Implement sampling program for Waddell Creek Nutrient TMDL; and
- Rescope/redirect funds for Watsonville Slough Oil and Grease and Metals TMDLs, as they are being recommended for delisting (*see attached Table*).

Administrative Reports

Governor's Executive Order D-62-02 Regarding Decommissioned Radioactive Materials [Michael LeBrun 805/542-4645]

On October 11, 2002, the Executive Officer issued Cleanup and Abatement Order No. R3-2002-0130 (Order No. 0130) to all active landfills in Region 3. Order No. 0130 places a moratorium on the acceptance of "Decommissioned Materials." Decommissioned materials are radioactive materials in excess of local background levels that have been released for unrestricted use as part of a decommissioning action by an appropriate state or federal nuclear regulatory agency.

Order No. 0130 was developed in response to Executive Order No. D-62-02 (Order No. D-62-02). The Governor issued Order No. D-62-02 on September 30, 2002, to partially address Radioactive Waste legislation he did not sign in to law. The Governor also instructed Department of Health Services (the agency responsible for decommissioning radioactive waste), to review a recent decision to lower the threshold for defining Decommissioned Waste.

The Governor's Order directed the State Board to develop and provide language for Order No. 0130 to the Regional Boards. Basically, Order No. 0130 requires landfill operators to include "Decommissioned Waste" in their list of wastes not accepted for disposal. While information identifying who generates decommissioned waste is classified and cannot be readily obtained, State Board was able to mail the generators a notice regarding the moratorium on waste disposal. The moratorium on decommissioned waste will be lifted once Department of Health Services completes environmental review.

While the issues surrounding decommissioned waste seem to be mainly procedural (Health Services did not perform full environmental review of a decision to lower threshold values), the resultant review of radioactive waste screening issues statewide indicates a lack of consistency with how the Regions approach this issue.

State Board staff is reviewing radioactive waste regulatory issues and considering how Regional Board permits can best address radioactive waste. In the meantime, Region 3's Land Disposal Unit will be including a specific radioactive waste prohibition in future permits and is considering a requirement to have a radiation detector positioned above the truck scale at each landfill to provide continuous monitoring for radioactive waste. Such a detection device is in place at Cold Canyon Landfill and has been successful in diverting inappropriate loads (generally low-level radioactive waste from area hospitals).

It should be noted that standard radioactive waste screening devices are not capable of detecting Decommissioned Waste because of the low differentiation between these waste and background radiation levels.

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

Donette Dunaway, Engineering Geologist, made a presentation to a Sustainable Building group on October 23, 2002. The talk focused on urbanization's effect on hydrology and geomorphology, and methods of minimizing

negative impacts to receiving water bodies and storm water quality.

Angela Carpenter and Larry Harlan attended Contract Manager training on October 23, 2002 in Sacramento. The course covered contract management issues for contracts funded by Clean Water Act Section 319(h) grants and Proposition 13 bonds.

On October 23, 2002 Chris Rose met with staff of the city of San Luis Obispo City and presented findings of the DNA fingerprinting analysis conducted by Regional Board staff for development of a total maximum daily load for bacteria in San Luis Obispo Creek.

On October 24, 2002, Chris Rose met with a local environmental group and a representative of the Farm Bureau and presented findings of the nutrient study that Regional Board staff is conducting to develop a total maximum daily load for nutrients in San Luis Obispo Creek.

On October 31, 2002 Chris Rose met with two local environmental groups and staff of the city of San Luis Obispo City and presented findings of the DNA fingerprinting analysis conducted by Regional Board staff for development of a total maximum daily load for bacteria in San Luis Obispo Creek.

On October 17, 2002, Associate Engineering Geologists Tom Sayles and Burton Chadwick attended a symposium presented by the Groundwater Association of California entitled, "Biological Treatment of MTBE Contamination in Groundwater." Contrary to early paradigms, MTBE is biodegradable. The symposium presented the challenges with using biological treatment (both in- and above-ground) for MTBE contaminated groundwater and the methods to determine the rate and effectiveness.

On October 16, 2002, Corey Walsh gave a presentation to the Kiwanis Club of Los Osos on a local petroleum underground storage tank cleanup. A general discussion of the manufacture and historical use of methyl tertiary butyl ether (MTBE) was presented. Followed by a review of water quality concerns associated with MTBE, and a summary of the petroleum investigation and

cleanup activities associated with the former Bear Valley Chevron Service Station, located at 1099 Los Osos Valley Road, Los Osos. The impact of MTBE on a local municipal water well owned by Southern California Water Company, and the ongoing monitoring of this and adjacent wells were provided. A number of questions were asked on issues including: financial responsibility, release history, and physical properties of MTBE.

Alison Jones, Watershed Management Initiative Coordinator and lead staff person for the agricultural runoff waivers, continues coordinating meetings and making presentations to various stakeholder groups on the Regional Board's proposed conditional waiver for agricultural runoff. The proposal is in a preliminary draft phase to allow adequate informal discussion and input prior to development of a final draft proposal. Alison Jones will present an update at the December Board meeting and anticipates the Board will consider a Resolution at its March Board meeting. The following meetings have been held to discuss the proposed agricultural runoff waiver:

September 18 – presentation and discussion at the San Luis Obispo and Santa Barbara County Farm Bureau Conference

October 18 – meeting with Ocean Conservancy
October 25 – presentation and discussion with the Technical Advisory Committee for the Monterey Bay Sanctuary Plan for Agriculture

October 28 – presentation and discussion with the Coalition of Central Coast County Farm Bureaus, representing the six counties surrounding Monterey Bay National Marine Sanctuary

October 31 – presentation and discussion with Monterey County Water Resources Agency's Agricultural Water Advisory Committee

November 6 – meeting with University of California Cooperative Extension county and regional directors, farm advisors and specialists to discuss the proposed waiver and role of UCCE in offering Farm Water Quality Planning short courses to growers.

November 14 – presentation and discussion with Monterey County Farm Bureau

November 19 – presentation and discussion with Santa Barbara County Farm Bureau (planned)

November 22 – presentation and discussion with San Benito County grower watershed working groups (planned)

December 3 – presentation and discussion with Monterey and Santa Cruz County grower watershed working groups (planned)

ATTACHMENTS

1. Carpinteria Valley Greenhouse Data Chart
2. Underground Tanks Summary Report dated November 14, 2002
3. Olin Corporation Off-Site Well Locations and Groundwater Analytical Results
4. Proposed/Planned TMDL Components to be Completed During Fiscal Year 2002-2003