

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

**STAFF REPORT FOR REGULAR MEETING OF FEBRUARY 7, 2003**

Prepared on January 13, 2003

**ITEM: 23**

**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  
NOVEMBER/DECEMBER 2002**

[Corinne Huckaby 805/549-3504]

Orders

Reports of Waste Discharge Received	9
Requirements Pending	61
Inspections Made	32
Self-Monitoring Reports Reviewed (WB)	170
Self-Monitoring Reports Reviewed (CB)	10
Stormwater Reports Reviewed	20

Enforcement

Non-Compliance Letters Sent:	
NPDES Program	2
Non-Chapter 15 WDR Program	8
Chapter 15 Program	0
Unregulated	4
Stormwater	2
CAOs Issued	1
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 November 16, 2002 to January 10, 2003.

WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED FROM NOVEMBER 16, 2002 THROUGH JANUARY 10, 2003

County	Date Received	Applicant	Project Description	San Joaquin Water	Project Location	Action Taken
Monterey	November 20, 2002	California-American Water Co.	San Clemente Reservoir Drawdown - 2003-2004 Operations	San Clemente Reservoir	Carmel Valley	Standard Certification
	November 22, 2002	Las Palmas Ranch Development Company	Emergency Stabilization of Drainage within Phase II Las Palmas Ranch Development	Tributary to Salinas River	Spreckels	Standard Certification
	November 25, 2002	Department of Parks and Recreation	Carmel River Lagoon Restoration	Carmel River and Pacific Ocean	Carmel River State Beach	Pending
San Benito	November 22, 2002	San Benito County Public Works	Seasonal Low Water Crossing	Tres Pinos Creek	Bolado Park	Pending
San Luis Obispo	November 22, 2002	County of San Luis Obispo	Higuera Street Bridge Seismic Retrofit	San Luis Obispo Creek	San Luis Obispo	Standard Certification
	December 3, 2002	City of San Luis Obispo	Foothill Bridge	Stenner Creek	San Luis Obispo	Pending
	December 19, 2002	Conoco Phillips	Arroyo Grande Creek Pipeline Removal	Arroyo Grande Creek	Arroyo Grande	Pending
	December 19, 2002	Vandenberg Air Force Base	Phase I emergency repair work at 13 <sup>th</sup> Street Bridge	Santa Ynez River	Vandenberg	Standard Certification
	December 27, 2002	Heritage Ranch CSD	Well and booster pump modifications project	Nacimiento River	Heritage Ranch	Pending
	January 10, 2003	Peter Henry	Culvert installation for vehicular traffic	Intermittent tributary to Salinas River	Pozo	Pending
Santa Barbara	December 24, 2002	Santa Barbara County Parks	El Capitan Ranch Trail 2001 Storm Damage	Canada De La Destiladera Creek	El Capitan Ranch	Pending
	December 24, 2002	Santa Barbara County Parks	Cachuma Lake 2001 Storm Damage	Cachuma Lake	Cachuma Lake	Pending
Santa Clara	December 17, 2002	Caltrans	Uvas Creek Bridge - Scour Remediation	Uvas Creek	Gilroy	Pending
	January 8, 2003	Dept. Parks and Recreation	Dowdy Ranch Day Use Development Project	Unnamed tributary to NF Pacheco Creek	Morgan Hill	Pending

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**WATERSHED BRANCH REPORTS**

**Status Reports**

Waiver Policy Update [Eric Gobler 805/549-3467]

Regional Board staff continues to meet with interested parties regarding a conditional waiver for agricultural runoff. Based on comments received during meetings with interested parties and at the December 13, 2002 Regional Board hearing, staff proposes to convene a panel of

environmental and agricultural interests to discuss and resolve the remaining issues of concern regarding a conditional agricultural waiver. Staff proposes to meet with the panel prior to preparing a draft waiver and the California Environmental Quality Act documentation. Thus, the draft waiver document would be scheduled for public comment by March 1. Considering this schedule, the final waiver would be presented to the Regional Board at its May 16 public meeting in Watsonville.

The State Water Resources Control Board plans to consider adoption of a General "Low Threat"

Waste Discharge Requirement Order. State Board consideration has been postponed to ensure proper California Environmental Quality Act compliance and necessary public review. Currently, State Board consideration is scheduled for a March 4, 2003 workshop and a March 19, 2003 meeting. As previously discussed, once adopted, this order would allow enrollment of certain waste categories that were once waived.

## CLEANUP BRANCH REPORTS

### Status Reports

Underground Tanks Summary Report dated January 7, 2003 [Jay Cano 805/549-3699]

[See Attachment No. 1]

## REGIONWIDE REPORTS

Regional Monitoring [Karen Worcester 805/549-3333]

Central Coast Ambient Monitoring Program (CCAMP) staff participated in capture of a variety of invertebrate species from Morro Bay and Atascadero State Beach, to assist U.C. Davis researchers in studying incidence of *Toxoplasma* in the Morro Bay area. This area was identified as a "hot spot" in a prior epidemiologic study. The study will examine prevalence of the pathogen in various sea otter food species. It will also focus on association of the organism with potential source areas, including stream discharges, urban runoff, and sewage discharge.

Snapshot Day data is ready to be uploaded to the Monterey Bay National Marine Sanctuary's Citizen Monitoring Network. We have provided ongoing technical support for this effort and are now participating on a Technical Advisory Group for expanding the effort coast-wide next year. The group currently plans to use CCAMP data file support software to collect and review data and generate a website for the statewide effort.

We have been working on a major revision of the CCAMP website. We will be providing significantly more text to support watershed data charts. We have developed several site navigation tools by linking latitude and longitude of sites with various websites with mapping capability or locational photographs (such as the California Coastal Records Project). We are also working on ways to integrate 305(b) report information with our monitoring data so that the report can be updated more easily. The website will provide linkages between assessment information and the data to support that assessment.

Karen Worcester is reviewing the proposed 303(d) listing policy document being developed by a subcommittee of the TMDL Roundtable. This policy will have major implications for how monitoring and assessment activities will proceed in the future.

In a recent Surface Water Ambient Monitoring Program (SWAMP) Monitoring Roundtable meeting, we discussed the U.S. EPA's document, "Elements of a State Water Monitoring and Assessment Program." Clean Water Act (CWA) Section 106 requires that EPA make a determination as to the adequacy of State monitoring programs, for the purpose of determining whether the State meets prerequisites for CWA 106 funding. They require that states develop a Comprehensive Monitoring Program Strategy (in addition to submitting a 305(b) report), or commit to its development prior to awarding of 106 grant monies. The SWAMP program will need to fulfill this CWA 106 requirement. This may require diversion of some portion of Regional funds towards a statewide sampling effort.

The Governor has proposed significant budget cuts next fiscal year, particularly to our contract dollars, which means that our ability to continue our existing program will be impacted considerably. Additional difficulties are arising from delayed laboratory contracts; money set aside for these contracts is highly vulnerable because it is not yet encumbered. This means that for the time being, our monthly sampling of conventional water quality data has been suspended and we are postponing start of our next five-year rotation to next year. We will begin working on alternative

funding sources in the meantime, which may include grants, settlements, TMDL data gathering activities, and agricultural waiver monitoring programs.

We have been selected as a focus area for monitoring activities this year by the U.S. EPA's Environmental Monitoring and Assessment Program (EMAP). This means that approximately 30 sites will be randomly selected from streams throughout our region for comprehensive site characterization. These analyses will include chemistry, physical parameters, and a variety of biological characterization approaches. These latter tests will include side-by-side comparisons of several different protocols for benthic invertebrate populations, and periphyton community analysis (periphyton is a term that is used by aquatic ecologists to describe communities of microorganisms that are associated with various aquatic substrates). This information may ultimately provide us with new monitoring tools for our own program, and will characterize the "average" condition, and the percent of our waters meeting various beneficial uses.

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

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

**See Attachment No. 2:** TMDL Components/Projects to be Completed During Fiscal Year 2002-2003.

*Staff prepared an addendum to the staff report for the Morro Bay Pathogens TMDL Basin Plan Amendment in response to clarifications requested by Board members during the December 2002 Board Meeting. The addendum clarified that the goal of this TMDL and associated implementation and monitoring program is to protect and restore the beneficial use of shellfish harvesting in the bay which can be tracked by reducing the number of shellfish closure days to the lowest number practicable. Additionally, the addendum indicates that staff will obtain information on closure days from the Department of Health Services and track*

*whether the numbers of days are decreasing over time.*

*Staff is reevaluating the nutrient targets recommended as part of the Chorro and Los Osos Creeks Nutrient and Dissolved Oxygen TMDLs in response to the issues raised by Board members while considering adoption of these TMDLs as a Basin Plan Amendment at the December 2002 Board meeting. Staff plans to provide a revised recommendation at either the March 2003 or May 2003 Board meeting.*

*Staff will recommend adoption of a revised resolution for the Basin Plan Amendment for the Morro Bay Sediment TMDL at the March 2003 Board meeting. In reviewing the resolution adopted at the May 2002 Board meeting, State Board technical and legal staff found two areas in need of clarification. First, the resolution did not include a list of specific implementation actions and implementing parties. Second, the current resolution indicates an apparent inconsistency with Basin Plan Objectives because it includes a numeric target for turbidity expressed in NTUs or nephelometric turbidity units; the Basin Plan contains a numeric water quality objective for turbidity expressed in JTUs or Jackson Turbidity Units. Therefore, staff will recommend adoption of a revised resolution that addresses these two issues.*

Main activities in progress during the *third* 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 guidance pursuant to Assembly Bill 469;
- *Prepare and propose a Revised Basin Plan Amendment for Chorro and Los Osos Creeks Nutrient and Dissolved Oxygen TMDL and for Morro Bay Siltation TMDL;*
- *Prepare Status Report for Salinas River Siltation TMDL;*
- Continue preparation of Draft TMDL Reports for San Luis Obispo Creek Nutrients and Pathogen TMDLs, Pajaro River Nutrients TMDL and Clear Creek-Hernandez Reservoir Metals 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 *third* quarter of fiscal year 2002-2003 include the following:

- Prepare and/or review drafts of the State Policy for Identifying Impaired Waters and State TMDL guidelines;
- *Prepare and submit TMDL Program Mid-Year Status Report to State Board;*
- *Recommend adoption of Revised Basin Plan Amendments for Chorro and Los Osos Creeks Nutrient and Dissolved Oxygen TMDL and for Morro Bay Siltation TMDL;*
- Complete *Status Report* for Salinas River Siltation TMDL;
- Prepare delisting recommendation (depending on final data analysis) for Morro Bay Metals TMDL;
- Complete Draft TMDL Reports for Pajaro River Nutrient TMDL and *Clear Creek-Hernandez Reservoir Metals TMDL;*
- *Complete Implementation and Monitoring Plans for San Luis Obispo Creek Nutrient TMDL;*
- Prepare Administrative Record for *Las Tablas Creek and Lake Nacimiento Mercury TMDL and for Morro Bay Pathogens TMDL* and submit to State Board.

## **ADMINISTRATIVE REPORTS**

### Water Quality Coordinating Committee Meeting (Spring) [Roger Briggs 805/549-3140]

Due to budget cuts, there will not be a Water Quality Coordinating Committee meeting this Spring.

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

On January 7, 2003, about forty Regional Board staff received their annual 8-hour health and safety training. The course ensures that staff is trained to visit hazardous sites and maintain necessary health

and safety certification. A State Board Industrial Hygienist presented the course at the Regional Board office.

On January 8, 2003, Donette Dunaway made a Storm Water Permit presentation to Cannon and Associates, Inc. The presentation was held at the consultants San Luis Obispo office. The purpose was to provide information on: 1) When permits are needed, including Phase II requirements, 2) How to plan (timing, phasing, BMPs) construction sites so that they will be in compliance with the Permit 3) How to incorporate Post-construction BMPs into the planning stage.

On January 13 and 14, 2002, Donette Dunaway coordinated two 401/404 and Storm Water Permit Workshops with a local consultant (Althouse and Meade, Inc.) and the Army Corps of Engineers (ACOE). The workshops focused on: 1) ACOE jurisdiction, 2) types of ACOE permits available and when to use them, and 3) ACOE district-specific information. Regional Board staff presented information on the Storm Water Permit requirements, including Phase II requirements. San Luis Obispo County employees attended the January 13 workshop. Regional Board staff and private consultants attended the January 14 workshop.

On January 14, 2003, Katie DiSimone spoke to a Cal Poly Environmental Planning class on the topic of how competing interests (such as the need for disruptive cleanup vs. habitat value) are balanced when formulating cleanup responses. Ms. DiSimone leads the Board's Guadalupe oil field cleanup oversight.

Corinne Huckaby attended an Advanced Compliance Module training at State Board on January 15, 2003. The compliance module is a component of the System for Water Information Management (SWIM) database which houses information on all permitted dischargers throughout the state. The compliance module within SWIM tracks individual facility's permit limit violations, enforcement actions, and spill reports, and is responsible for tracking the information reflected in the enforcement report of each Board Meeting agenda. Following the training session, Corinne will provide internal training to the support staff that use the SWIM database in this office.

**ATTACHMENTS**

1. Underground Tanks Summary Report dated January 7, 2003
2. TMDL Components/Projects to be Completed During Fiscal Year 2002-2003

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