

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

STAFF REPORT FOR REGULAR MEETING OF MARCH 21, 2003

Prepared on February 20, 2003

ITEM: 28

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
JANUARY 2003**

[Corinne Huckaby 805/549-3504]

Orders

Reports of Waste Discharge Received	2
Requirements Pending	56
Inspections Made	23
Self-Monitoring Reports Reviewed (WB)	116
Self-Monitoring Reports Reviewed (CB)	89
Stormwater Reports Reviewed	40

Enforcement

Non-Compliance Letters Sent:	
NPDES Program	1
Non-Chapter 15 WDR Program	2
Chapter 15 Program	0
Unregulated	0
Stormwater	2
CAOs Issued	4
ACL Complaints	0

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 January 11, 2003 to February 11, 2003.

WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED FROM JANUARY 11, 2003 THROUGH FEBRUARY 11, 2003

County	Date Received	Applicant	Project Description	Receiving Water	Project Location	Action Taken
San Luis Obispo	January 17, 2003	Frank Arciero & Sons / Fallingstar Homes	Montebello Pond Maintenance of Pond 1 & 2	Unnamed Drainage to Salinas River	Paso Robles	Pending
	January 22, 2003	Department of Parks and Recreation	Hearst Castle Road Improvements	Unnamed tributaries to Arroyo del Puerto Creek and Pacific Ocean	San Simeon	Pending
	January 23, 2003	Dr. Sanjay Ganoule	Las Tablas Medical Center	Cholame Creek	Templeton	Pending
	January 23, 2003	Fallingstar Homes, Inc.	Tract 2451 - Creekside Homes	Cholame Creek	Shandon	Pending
	January 27, 2003	Glen & Anne Albright	Albright Bridge	Unnamed tributary to San Luisito Creek	Chorro Valley	Pending
Santa Cruz	February 3, 2003	Santa Cruz Co.	Cassery Road Culvert Replacement Project	Unnamed tributary to Cassery Creek	Santa Cruz	Pending
	February 4, 2003	Santa Cruz Co.	Kings Creek Bridge Replacement	Kings Creek	Boulder Creek Area	Pending
	February 11, 2003	Santa Cruz Co.	Redwood Road Slipout Repair	Redwood Canyon Creek	Santa Cruz	Pending
Santa Barbara	February 11, 2003	Santa Barbara Co. PWD	North Jameson Lane Bike Path and Bridge Replacement	Oak, San Ysidro, Romero creeks	Montecito	Pending

WATERSHED BRANCH REPORTS

Status Reports

Grading Projects in Northern San Luis Obispo County [Ryan Lodge 805/542-4642]

This report is being made in response to comments received at the February 7, 2003 Regional Board Meeting Public Forum regarding two sites with erosion problems in north San Luis Obispo County.

The Goldie Lane Property (40 acre site) and the Kelegian Ranch Property (199 acre site) are located near Creston off of Highway 58. The sites are permitted by enrollment in the General Storm Water Construction Permit (Permit). Large areas of both properties were cleared of all vegetation and were initially left without Best Management Practices (BMPs). Regional Board staff have inspected the sites on several occasions and have found Permit violations. Notices of Violation were sent to the property owners in November 2002 outlining the violations and improvements needed.

In December, Regional Board staff re-inspected the sites and again found Permit violations. Violations included sediment discharges to Huer Huero Creek and unnamed tributaries to Huer Huero Creek. Significant erosion at both sites overwhelmed sediment controls installed after the first NOVs were issued. Sediment and erosion control BMPs were lacking.

In January 2003, the Executive Officer issued a Cleanup or Abatement Order (Cleanup Order) for the Goldie Lane Property. Regional Board staff visited the Goldie Lane Property to evaluate compliance with the Cleanup Order and found the site violating the Cleanup Order. A Notice of Violation was sent in February 2003, outlining violations of the Cleanup Order. Regional Board staff are currently evaluating further enforcement action while we work with the property owner to achieve compliance.

In February 2003, the Executive Officer issued a Notice of Violation for ongoing Permit violations at Kelegian Ranch. Additionally, the Executive Officer issued an Administrative Civil Liability Complaint for the Kelegian Ranch Property in the

amount of \$75,000 for past Permit violations, including discharging sediment to surface waters and ineffective sediment and erosion control BMP implementation. A Regional Board hearing regarding the Administrative Civil Liability is anticipated at the March 21, 2003, meeting.

To address general grading concerns, Regional Board staff met with San Luis Obispo County Planning and Building officials. We are coordinating a workshop for local officials to improve knowledge and understanding of appropriate erosion and sediment control management practices.

Proposed Revisions to Monitoring and Reporting Program Nos. 01-034, Boulder Creek Wastewater Treatment Facility and 01-031, Rolling Woods Wastewater Treatment Facility, Santa Cruz County [Todd Stanley 805/542-4769]

The purpose of this report is to inform the Regional Board of staff's intent to implement prescribed monitoring and reporting program modifications pursuant to previously adopted Waste Discharge Requirements (WDR) Orders.

The San Lorenzo Wastewater Management Plan (Plan), as adopted by the Santa Cruz County Board of Supervisors, was approved by the Regional Board as Resolution No. 95-04 on April 5, 1995. The Plan includes findings and recommendations resulting from the investigation of elevated nitrate levels in surface water and ground water in the San Lorenzo River Watershed. The Plan recommended that the Regional Board require nitrogen control measures in the issuance of new or revised waste discharge requirements. The Plan's goal is to achieve at least 50 percent reduction in total nitrogen from wastewater disposal systems located in the San Lorenzo Valley.

The subsurface disposal areas utilized by Santa Cruz County Service Area No. 7, Boulder Creek Wastewater Treatment Facility (CSA No. 7), and County Service Area No. 10, Rolling Woods Wastewater Treatment Facility (CSA No. 10) are located within the San Lorenzo River Watershed.

In accordance with Resolution No. 95-04, new and revised WDR for wastewater discharges in the San Lorenzo Valley have been modified by the Regional Board to include total nitrogen reduction requirements. The discharges of treated wastewater from CSA Nos. 7 and 10 are regulated through WDR Order Nos. 01-034 and 01-031, respectively, which were adopted by the Regional Board on May 18, 2001. Although the Regional Board has already adopted these Orders providing for the modification of total nitrogen sampling, staff intends to report such modifications to the Regional Board before enacting the changes.

In accordance with Resolution No. 95-04, Order Nos. 01-031 and 01-034 require at least a 50 percent reduction in total nitrogen in treated wastewater effluent. To demonstrate the wastewater treatment plants' (WWTPs) ability to consistently achieve the required reduction, Monitoring and Reporting Program (MRP) Nos. 01-031 and 01-034 require the discharger to monitor the WWTPs effluent total nitrogen reduction efficiency for a minimum of 15 months. An intensive total nitrogen-monitoring schedule was established for this period, requiring the discharger to sample wastewater influent and effluent every two weeks.

After the 15-month monitoring period, the discharger was then required to submit a report analyzing each facility's performance. MRP Nos. 01-031 and 01-034 state that Regional Board staff will evaluate the report to determine the need and frequency for continued total nitrogen monitoring.

By letters dated October 31, 2002, and November 12, 2002, the discharger submitted its 15-month monitoring reports. Regional Board staff is pleased to report that the discharger's WWTPs have consistently achieved at least a 50 percent reduction in total nitrogen in wastewater effluent. These improvements are a significant component on the Total Maximum Daily Load implementation for this watershed (listed on our impaired waters list for nutrients).

In accordance with MRP Nos. 01-031 and 01-034, and staff's evaluation of the discharger's 15-month total nitrogen reduction monitoring reports, staff intends to modify MRP Nos. 01-031 and 01-034 to change the wastewater influent and effluent total

nitrogen sampling frequency from every two weeks to monthly.

The proposed total nitrogen monitoring changes are consistent with previous changes made by staff for other similar discharges. Such modifications were last reported to the Regional Board at the December 7, 2001 meeting (for the Mount Hermon Conference Center).

CLEANUP BRANCH REPORTS

Status Reports

Underground Tanks Summary Report dated February 18, 2003 [Jay Cano 805/549-3699]

[See Attachment No. 1]

REGIONWIDE REPORTS

Regional Monitoring [Karen Worcester 805/549-3333]

Monitoring Program Activities – Karen Worcester and John Robertson met with Chris Mobley, recently appointed manager of the Channel Islands National Marine Sanctuary to discuss ways that our staff can collaborate with Sanctuary staff with regard to monitoring and other water quality program activities. Chris described the coast wide Joint Management Plan Review process all of the Sanctuaries are undergoing, and we discussed several “cross-cutting” issues which may involve multiple Sanctuaries. Our proposed sand crab monitoring program, which will help prioritize beaches most impacted by urban runoff and other pollutants is proposed as one of those issues. John and Karen will be preparing a joint presentation to the CINMS Advisory Council in May, and Sanctuary staff have agreed to update our Board at the October Board meeting in Santa Barbara.

Karen Worcester presented a status report on monitoring program activities to the Monterey Bay National Marine Sanctuary Program's Water

Quality Committee. As part of NOAA's Joint Management Plan Review process for the west coast sanctuaries, the Water Quality Committee will be hosting a series of meetings to evaluate progress on their four main action plans (urban stormwater, marinas and boating, agricultural lands, and regional monitoring). We will be participating in these meetings to identify program successes and challenges, and to evaluate whether monitoring program changes or additions should be considered for the future. This will be done in conjunction with our five-year external peer review process.

The Monterey Bay Aquarium Research Institute held a workshop on the Environmental Sample Processor (ESP), a newly developed DNA probe which is able to detect DNA from toxic phytoplankton or other targeted organisms in ocean water and convey that information to shore in real time. The intent of the conference was to discuss potential future uses for the technology, and to determine what additional functional requirements will be necessary to guide development of the instrumentation. Karen Worcester and Dane Hardin of Applied Marine Sciences presented information on regulatory framework and monitoring program goals for the Regional Water Quality Control Board, and on the Central Coast Long-term Environmental Assessment Network (CCLEAN), our ocean discharger based ambient monitoring program in the Monterey Bay area. We are interested in learning whether this technology can be incorporated into the CCLEAN program, to potentially address pathogenic organisms of particular concern in the Monterey Bay area. Some of the issues which need to be addressed are potentially low densities of organisms in marine waters, high concentrations of sediment during storm events, and sources of grant funding for development of instrumentation.

Karen Worcester met with Defenders of Wildlife staff, to discuss their concerns about marine wildlife health issues. Department of Fish and Game staff were also present at the meeting. The Defenders are concerned about several topics, including newly emerging information about pathogenic disease in marine mammals. They want to learn how they can help address this difficult issue, and we discussed the need for

public education associated with marine pollution issues. The Defenders will be coordinating with us on developing a poster related to marine pollution and impacts in the near future. We also discussed general funding issues for CDFG staff, and the loss of monitoring dollars proposed in the current state budget.

Central Coast Ambient Monitoring Program (CCAMP) staff met with Jim Kwasny, a U.S. Forest Service ecologist working in the Big Sur area. He is interested in using CCAMP data in a management plan he is currently completing for the area. Included in this plan will be proposed watershed monitoring activities to determine whether management actions are successful. He is also potentially interested in future collaboration with our monitoring program activities, as many of our long term trend monitoring sites (Coastal Confluences program) are at the lower ends of watersheds on Forest Service property.

The Morro Bay Volunteer Monitoring Program sponsored a volunteer monitoring workshop for volunteer program leaders throughout the Central Coast. CCAMP staff led portions of the technical discussion, particularly on why various parameters are important to monitor and what criteria can be used to evaluate them. We also provided handouts and reference material, and discussed data management and website development. We suggested they might consider applying for grant funds as a collaborative group, instead of in competition against one another.

The State Board is funding development of sediment criteria through the Southern California Coastal Water Research Project. Region 3 staff sat in on the initial advisory committee meeting and will continue to provide input into this project. It is anticipated to take several years to develop criteria, and will involve use of existing benthic infauna and chemistry data in conjunction with other sources of information.

U.S. EPA's Environmental Monitoring and Assessment Program (EMAP) team (primarily Department of Fish and Game contractors) spent several days in our region preparing to comprehensively sample thirty randomly selected sites for water quality, habitat condition, and benthic algal and invertebrate community analysis.

Mary Adams assisted this team in reviewing potential sites for access issues, water availability, and other information they will need to proceed with this work. We are fortunate to have been selected as a focus area for their work this year, as it represents a considerable financial investment in our Region by U.S. EPA, without a required match from our program.

Because of extensive anticipated monitoring program budget cuts and delays in laboratory contracting, CCAMP is currently planning a one-year hiatus in our watershed monitoring activities. During this time we plan to comprehensively analyze our findings from the previous five years, conducting an external peer review of our activities, and determining how best to configure the program for the next five year rotation. We will also use this time to do some grant writing and other program fund development work.

SB 390 Agricultural Discharges

Alison Jones, lead staff person on developing a replacement for agricultural runoff waivers, has convened a panel of agricultural and environmental interests. Meetings have been scheduled during February and March in an effort to reach consensus on recommendations for the Regional Board to consider at the May 16 Board meeting. Alison has been presenting information on the proposed replacement waiver concept with other staff and at organized meetings of various farmer groups around the Region.

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. 2: TMDL Components/Projects to be Completed During Fiscal Year 2002-2003.

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 the May 2003 Board meeting*.

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;
- 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.

ADMINISTRATIVE REPORTS

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

The State Board will not hold a WQCC meeting this Spring due to budgetary considerations.

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

On February 11, 2003, Donette Dunaway arranged for Lisa Mangioni from the Army Corps of Engineers to give a training to Regional Board staff at the Regional Board office. The training centered on Army Corps of Engineers 404 Nationwide Permits. Ms. Mangioni discussed Army Corps jurisdiction, the three types of 404 permits available, and the 404 application process. The presentation lasted approximately one hour, with 45 minutes of question and answer time. Approximately twenty-five Regional Board staff attended the training.

Burton Chadwick, AEG in the Underground Tanks Unit, attended the 5th Annual California Unified Program Conference on February 3-5, 2003, in Anaheim. A State and Regional Board UST Program roundtable was held on Monday, and in keeping with the Unified theme, the meeting included participation of LIAs (local implementing agencies, such as fire and county environmental health departments) and LOPs (local oversight programs). A track of UST training was available for the remainder of the conference and included courses on conducting leak autopsies, developing Site Conceptual Models, "do no harm" - how to avoid making the environment worse during investigations, and GeoTracker (database management).

Jennifer Bitting and Roger Briggs gave presentations on Regional Board activities at the California Water and Environment Association Conference in Monterey on February 24th. Attendance was about 300 people and feedback on the presentations was very good.

On Saturday February 22, Grant Himebaugh, of the Regional Board's Department of Defense staff, played the role of "Dr. Evil, the Erosion Villain" and used a non-point source demonstration model to introduce the basics of erosion control at Ft.

Ord's Community Open House. Well over one-hundred visitors came by the open house.

In Fall 2002, and continuing through January of this year, Senior Engineering Geologist Gerhardt Hubner participated and completed a Management Certificate Program conducted by California State University, Sacramento in partnership with the California State Training Center. This nine-day program (consisting of seven different sessions) is designed to help public service managers develop conceptual models, examine problems from

various angles, synthesize data from many sources, and craft solutions by drawing upon varied bodies of knowledge. The curriculum included topics on strategic, performance and change management, creating a shared commitment to quality, and creating an inclusive workplace (diversity). Organizational change, productivity, budgets, political accountability, ethics, personnel performance and motivation as well as fundamental management practices were covered in the program.

ATTACHMENTS

1. Underground Tanks Summary Report dated February 18, 2003
2. TMDL Components/Projects to be Completed During Fiscal Year 2002-2003