

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

STAFF REPORT FOR REGULAR MEETING OF MARCH 22, 2002

Prepared on February 19, 2002

ITEM: 29

SUBJECT: Executive Officer's Report to the Board

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

Watershed and Cleanup Branch Reports

**REGULATION SUMMARY OF
JANUARY 2002**

[Corinne Huckaby 805/549-3504]

Orders

Reports of Waste Discharge Received	6
Requirements Pending	40
Inspections Made	39
Self-Monitoring Reports Reviewed (WB)	103
Self-Monitoring Reports Reviewed (CB)	170
Stormwater Reports Reviewed	10

Enforcement

Non-Compliance Letters Sent:	
NPDES Program	0
Non-Chapter 15 WDR Program	0
Chapter 15 Program	0
Unregulated	1
Stormwater	15
CAOs Issued	0
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 1 to February 14, 2002.

WATER QUALITY CERTIFICATION APPLICANTS RECEIVED FROM JANUARY 1, 2002 THROUGH FEBRUARY 14, 2002

Date	Applicant	Project Description	Project Location	Receiving Water	Action Taken
January 7, 2002	County of San Luis Obispo	Cambria Flood Mitigation Project	Cambria	Santa Rosa Creek	Pending
January 11, 2002	California Department of Transportation	Replace culverts	Monterey County	Unnamed Tributary to Pacific Ocean	Pending
January 15, 2002	California Department of Transportation	Replace culvert/repair road	Near Morro Bay	Unnamed Tributary to Morro Creek	Pending
January 16, 2002	Monterey County Public Works Department	Crazy Horse Road Bridge Replacement	Monterey County	Gabilan Creek	Pending
January 22, 2002	Caltrans	Replace Culverts	Santa Barbara County	San Antonio Creek	Pending
January 22, 2002	Tosco Corporation	Drainage Ditch Slope Protection	Santa Barbara County	Tributary to San Antonio Creek	Pending
January 23, 2002	County of San Benito Public Works Department	Temporary low water crossing for Nash Road	Hollister	San Benito River	Pending
January 25, 2002	San Benito County Public Works Department	Hospital Road Seasonal/ temporary Low Water Crossing	Hollister	San Benito River	Pending
January 28, 2002	City of Santa Barbara, Parks & Recreation	Shoreline Park Beach Access Stairway Replacement	Shoreline Park, Santa Barbara	Pacific Ocean	Pending
January 30, 2002	County of San Benito Department of Public	Southside Road Bridge Replacement	Hollister	Tres Pinos Creek	Pending
February 7, 2002	Cliff Howe, County of San Luis Obispo	Wineman Road Culvert Repair Project	South of Nipomo	Unnamed tributary to Nipomo Creek	Pending
February 7, 2002	Jared Hart, Santa Barbara County Public Works	Winchester Canyon Road Slope Repair	Goleta	Pacific Ocean	Pending
February 14, 2002	Jared Hart, County of Santa Barbara, Public	Happy Canyon Road Bridge 51C-075	Santa Ynez	Santa Ynez River	Pending

WATERSHED BRANCH REPORTS

Status Reports

Connecting Highlands Inn and Highlands Sanitary Association to Carmel Area Wastewater District, Monterey County [Matthew B. Thompson 805/549-3159]

The Highlands Inn and Highlands Sanitary Association is located in the Carmel Highlands, a Monterey County neighborhood on the cliff shore of Monterey Bay National Marine Sanctuary, just south of Point Lobos State Reserve (see Figure 1). While the majority of homes in the Carmel Highlands utilize septic systems for wastewater disposal, the Highlands Inn and Highlands Sanitary Association (comprised of eleven homes and the Tickle Pink Inn) each have wastewater collection and conventional secondary treatment systems. Each system has an NPDES permit issued from this Regional Board to discharge to the Pacific Ocean. The Highlands Sanitary Association was granted a two-year renewal of their NPDES permit at the Regional Board's March 23, 2001 meeting. Highlands Inn received a five-year renewal of their permit at the same meeting.

Carmel Area Wastewater District (CAWD) has recently been assisting the Highlands Inn (~30,000 gallons-per-day (gpd) of wastewater flow) and the Highlands Sanitary Association (~6,000 gpd) in the design and implementation of a sewer line extension from their collection system to CAWD. In addition to immediately improving water quality of the Wildcat Cove area by eliminating the two small ocean discharges, the project will allow the wastewater generated by Highlands Inn and Highlands Sanitary Association to be recycled at CAWD's advanced treatment facility.

Carollo Engineers, consultant to the sewerage project, developed a *Highlands Sewer Connection Feasibility Study* in November 2001. The study contained design criteria, alternative connection scenarios with cost estimates, and a project schedule. The preferred connection scenario involves construction of two pump stations with redundant pumps, approximately 2.6 miles of 4" diameter force main sewer line, backup power generators, an alarming system, and appurtenant structures. The sewer line will extend along the

Highway 1 corridor (see Figure 1) and share a trench with a sewer line concurrently being constructed to serve the Point Lobos State Reserve (a septic to sewer conversion project).

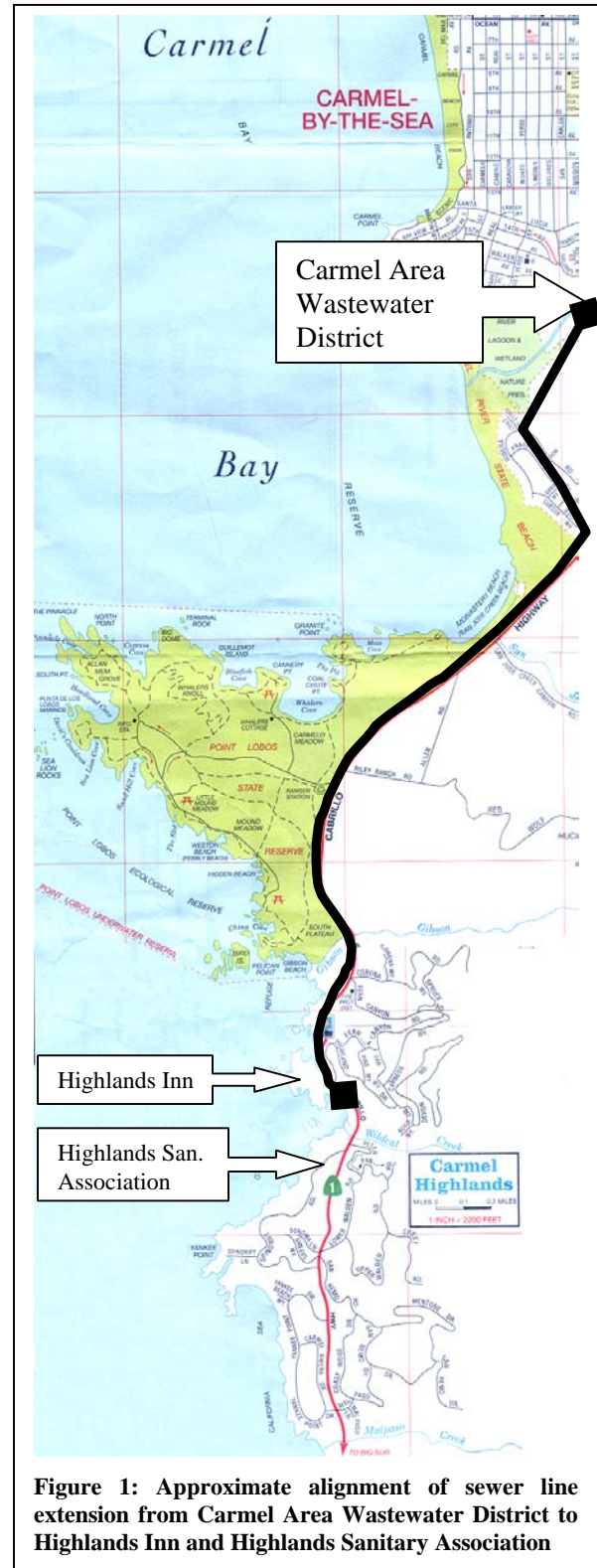


Figure 1: Approximate alignment of sewer line extension from Carmel Area Wastewater District to Highlands Inn and Highlands Sanitary Association

The total shared cost of the project for the Highlands Inn and Highlands Sanitary Association is estimated to be \$1.28 million. The Highlands Inn and Highlands Sanitary Association have agreed to split the shared cost at 68% and 32%, respectively. In order for the project to remain affordable for all parties, a low-interest loan (2.4% interest at a 20-year payback period) is needed through the State Revolving Fund Loan Program. CAWD is currently pursuing the loan through the Regional and State Boards.

Final design of the project will likely be completed in May 2002. Prior to beginning construction, permits must be obtained from Monterey County, Caltrans, and the Coastal Commission. Staff will be assisting CAWD with obtaining the necessary permits. Assuming no delays in the permitting process, construction could begin in September 2002. Completion of construction, and connection of the two Highlands discharges to CAWD, is expected by August 2003. Staff will continue to report any significant changes or progress on this project to the Regional Board.

See Attachment No. 1, Letter of support from The Ocean Conservancy, in reaction to the previous Executive Officer's report on this issue.

Loma Alta Farm, Santa Cruz County [Bill Arkfeld 805/542-4627]

At the March 2001 Board Meeting, Mr. Buddy Fallon spoke during the public comment session. He informed the Board that a water analysis of his well water indicated the presence of coliform bacteria. Mr. Fallon submitted a package of information to the Board that included ten photos. The photos show suspended material in ponded water on Mr. Fallon's property near the property line with Loma Alta Farm. The photos also indicate staining of the ground after these ponds dried up. Mr. Fallon asked the Board to investigate this concern. He indicated that he believed the neighbor's horse boarding facility and farmland, Loma Alta Farm, might be the source of contamination entering his property. Mr. Fallon's property is located in the headwaters of the Arana Gulch Watershed near DeLaveaga Park. Mr. Fallon's property surrounds the Loma Alta Farm. This EO Report describes staff's investigation to date and what further actions are planned.

On March 23, 2001, Regional Board staff talked to Mr. Fallon for the first time. Mr. Fallon explained his concerns with the manure management practices at Loma Alta Farm and his concern for his nearby domestic well. He explained that his well is 340 feet deep and has a 160 foot screen interval. Monitoring of his well indicated the presence of Fecal Coliform and nitrate (4 part per million). Regional Board staff requested copies of the subject monitoring data.

On April 24, 2001, Regional Board staff inspected the Loma Alta Farm (Farm). Staff's inspection was limited to observations possible from public roads because permission to enter the Farm had not been obtained. At this time, staff did not have the owner's phone number and did not see anyone on site to contact. The Farm appeared to be fairly typical of horse boarding facilities located throughout Santa Cruz County. The Farm is located on gently sloping terrain and appeared to have good housekeeping (i.e., no significant amounts of manure were visible). No water quality concerns were observed. A significant portion of the property was not observable, including the composting area. During this inspection, staff met Mr. Fallon's daughter, Lori Hobse. Ms. Hobse explained the situation including their concern about the nearby water supply well. Ms. Hobse indicated that they wanted reassurance that Loma Alta Farm is using best management practices. Regional Board staff did not observe any stained ground surfaces during this inspection.

On May 7, 2001, Regional Board staff contacted the Santa Cruz County Resource Conservation District to request assistance with this case. The RCD staff suggested we seek the assistance of Mr. Richard Castle of the Natural Resource Conservation Service.

On May 22, 2001, Regional Board staff contacted the Arana Gulch Watershed Alliance (ARWA) to inquire if monitoring data collected to date indicated anything unusual in the vicinity of the subject site. The AGWA staff indicated that no obvious concern is indicated in the monitoring data, but the data may not be suitable for this sort of evaluation due to the dilution that could be

Item No. 29
Executive Officer's Report

5

March 22, 2002

occurring. At this time, Regional Board staff also attempted to contact Rich Castle.

On about June 1, 2001, Regional Board staff confirmed (via voice mail messages) that Rich Castle was available to review the best management practices utilized by Loma Alta Farm.

During June, Regional Board Staff attempted to contact the Farm owner, Mr. Bill Wahler, via telephone. Mr. Wahler indicated via a return voice mail message his willingness to work with Mr. Castle.

On July 5, Regional Board staff explained to Ms Hobse the current status of the investigation. At this point everyone agreed that having Mr. Castle review the best management practices at the Loma Alta Farm should adequately address Ms. Hobse and Mr. Fallon's concerns.

On July 5, 2001, Regional Board staff talked in detail with Mr. Castle about his possible involvement with the resolution of this case. He indicated that he could only participate if Mr. Wahler requested his assistance. Mr. Castle also indicated that he could not disclose his findings to anyone other than Mr. Wahler. Regional Board staff telephoned Mr. Wahler and left him a message that he should now invite Mr. Castle to review the best management practices of Loma Alta Farm.

On August 3, 2001, Regional Board staff talked in detail with Mr. Wahler. This was the first time Regional Board staff was able to talk directly with Mr. Wahler. Previous communication had been via voice mail messages only. Mr. Wahler confirmed his intent to work with Mr. Castle.

On August 30, 2001, Regional Board staff discussed this case with Mr. Fallon. At that time, Regional Board staff again requested copies of all lab data, well logs and related information for the domestic well on Mr. Fallon's Property.

On September 12, 2001, Regional Board Staff telephoned Mr. Wahler to inquire about the status of Mr. Castle's tour of the Farm. He indicated, via a voice mail message, that Mr. Castle had not visited the Farm.

On October 29, 2001, Mr. Fallon requested a letter detailing the current status of the Regional Board's investigation.

On October 30, 2001, Regional Board Staff talked with Mr. Wahler. Mr. Wahler indicated that he had been advised by Mr. Castle about manure management. Specifically, that berms should be placed to prevent storm water runoff from flowing into stored manure and that tarps should be used to cover manure piles. Mr. Wahler indicated he would utilize tarps and berms as recommended by Mr. Castle.

On October 31, 2001, Regional Board staff sent Mr. Fallon a letter explaining the current status of the investigation. Regrettably our October letter did not document the phone calls and other staff work accomplished between March and October. Mr. Fallon has not formally replied to our letter, but he did contact a Regional Board member and expressed his continued concern regarding the Loma Alta Farm.

On February 7, 2002, Regional Board staff re-inspected Loma Alta Farm. Accompanied by Mr. Bill Wahler, staff inspected the horse stables, riding area, farming areas and the composting area. The Loma Alta Farm is a certified organic farm. House keeping of the horse riding areas and horse stalls/paddocks is consistent with what staff considers to be best management practices. Mr. Wahler indicated manure is collected daily and taken to the composting area.

The composting area is less than 1,000 square feet in area. Storm water run-off from adjacent areas is diverted around the composting area. Some rain is allowed to soak into the compost piles to facilitate the composting process. During heavy rains, the compost piles are covered. One of the three piles was covered during the inspection. A second pile was in the process of being created and the third pile was finished compost. The composting area is located over 200 feet away from Mr. Fallon's well with a gully in between.

Two small farming areas were also observed. Mr. Fallon's well is located approximately 30 feet from one of the farming areas. Mr. Wahler indicated that he stopped putting compost on this area about 3 years ago. The other farming area is located about 100 feet from Mr. Fallon's well and receives

Item No. 29
Executive Officer's Report

6

March 22, 2002

compost on a regular basis. The farming areas did not appear to pose a threat to Mr. Fallon's well.

Based on staff's inspection, Mr. Wahler appears to be implementing typical best management practices for his farming and horse manure management practices. Staff did not observe any visible water quality problems or concerns.

On February 25, 2002, staff discussed this case in detail with Mr. Fallon. During this conversation, Mr. Fallon emphasized that he wants to be certain that no contaminants from the Loma Alta Farm are migrating on to his property. Regional Board staff will continue to work with Mr. Wahler and Mr. Fallon to resolve Mr. Fallon's concern that contaminants may be migrating onto his property. Monitoring strategies will be explored and utilized if the monitoring data will be useful toward resolution of this case.

Morro Bay Estuary DNA Follow-up [Shanta Duffield 805/549-3464]

Staff attended the Microbiological Source Tracking Workshop on February 5, 2002, in Irvine, California. United States Environmental Protection Agency, Southern California Coastal Water Research Project, National Water Research Institute and the California State Water Resources Control Board sponsored this event. The goals of the workshop were to discuss how different bacterial source tracking methods work, how practical these methods are, how compatible known source databases are in different geographical areas, how source tracking relates to Total Maximum Daily Loads (TMDLs), and a methods comparison study.

Fifteen different speakers spoke on their methods for tracking the source of bacterial contamination in waters. Some methods were similar to others, while others differed significantly. This type of workshop was timely and was quite successful. Many of the speakers touched upon the need for this source tracking as it relates to Total Maximum Daily Loads (TMDLs).

The general consensus was that there is not just one method that is acceptable at this point. Source tracking is a new science and much additional research is needed. The speakers participated in a closed session the day after the meeting to discuss

the goals of the workshop mentioned in the beginning paragraph. The results of this closed session will be on the Southern California Coastal Water Research Project's website (www.sccwrp.org), perhaps by the time of our Board meeting.

Oso Flaco Stakeholder Meeting [Julia Dyer 805/594-6144]

On February 14, 2001, Regional Board staff members John Robertson, Lisa McCann, and Julia Dyer met with landowners, primarily farmers, from the Oso Flaco watershed, the Cachuma Resource Conservation District, and the Dunes Center, in Richard Quandt's Grower-Shipper office. The meeting was set up by the landowners to learn more about Regional Board policies, Total Maximum Daily Loads (TMDLs) and the significance of the proposed 303(d) impaired waters nitrate listing for Oso Flaco Lake to stakeholders in the watershed. The presentation was an informal question and answer session and the participants were given handouts that covered frequently asked questions (FAQ) related to Nonpoint Source and TMDL issues (attached).

The questions focused primarily on TMDLs and what their impending development process will mean for the landowners. The landowners expressed concern that the process needed to consider all potential sources of nitrate (as opposed to singling out agriculture), and inquired about the manner in which regulations will be imposed upon them. Additional questions focused on how we can be sure that reductions in nitrate concentrations in the watershed are realistic and what will happen if reductions do not occur.

Regional Board staff explained the TMDL process, referring to the TMDL FAQ sheet, and stated that a TMDL would consider any and all potential sources of nitrates and allocate a relative load to the sources. In response to landowner's question, Regional Board staff also discussed the basis for calculating possible enforcement action liabilities and scenarios under which enforcement actions might be taken, and explained that proposed contaminant reductions in the watershed will be designed to the unique characteristics in Oso Flaco Lake (as in all TMDLs). As the TMDL implementation process progresses, if reductions do not occur an assessment will be made as to why

(i.e., landowner nonparticipation, failing of Best Management Practices or BMPs, naturally high levels of nitrates, etc.) and the TMDL may be revised at some point to reflect new information.

The landowners were very receptive and indicated a desire to work with the Regional Board in the future. Lastly, all parties discussed the value of current and future proactive efforts being in the best interest of the landowners and farmers for the following reasons: 1) Remaining in Tier 1 of the NPS process allows stakeholders to retain more flexibility in approaching solutions to problems on their own terms, 2) Stakeholders provide tremendous input throughout development and implementation of the TMDL, and 3) By participating in the process, there are no surprises.

Many of the participating landowners are very involved with their watershed and currently are implementing cutting edge technology BMPs on their land. They have already formed a watershed group and are writing what they call their "10 point plan" to assess/reduce nitrate sources in the watershed. This type of proactive approach serves as a model for the NPS and TMDL process and is a success story in the making.

In addition, this meeting sparked a desire for the formation of another watershed working group, as many of the landowners in Oso Flaco also own land in neighboring watersheds. Landowners in the Orcutt/Solomon Creek watershed, which has a 303d listing for Fecal Coliform, are in the early stages of developing their own watershed group to address this issue as a direct result of this Oso Flaco meeting. Regional Board staff will continue to meet on a regular basis with the landowners to help fashion a watershed management plan that improves and protects water quality and is manageable for the stakeholders in the Oso Flaco watershed.

CLEANUP BRANCH REPORTS

Status Reports

Unocal Guadalupe Oil Field, San Luis Obispo County [Katie DiSimone 805/549-3690]

Summary - The following is a status report of Unocal's Guadalupe oil field cleanup. This information was current on February 15, 2002.

Pursuant to Cleanup or Abatement Order No. 98-38, Unocal has excavated approximately 360,000 cubic yards of diluent-contaminated soil to date. At the time the order was drafted, it was anticipated that thermal desorption (high temperature destruction of diluent) or land treatment (enhanced biological degradation of diluent) would be used to treat the contaminated soils. These treatment options were reviewed in the 1998 environmental impact report. Unocal has performed several land treatment tests to evaluate its effectiveness in treating diluent-contaminated soils. Results have not been encouraging. Residual soil TPH concentrations remain around 1,000 mg/kg after 90 days of land treatment and initial toxicity testing shows significant potential risk to receptors. These results indicate little potential for land-treated soils to be used as backfill for future excavations.

Therefore, Unocal and resource agencies are evaluating additional soil treatment/disposal options. Additional proposed options include slurry injection, soil washing, on-site landfill, on-site treated material storage, and off-site disposal. The County of San Luis Obispo has selected a consultant, A.D. Little, to develop a supplemental environmental impact report (SEIR) for the proposed options. The U.S. Army Corps of Engineers has announced that it will cover the proposed options under a nationwide permit, so environmental review under the National Environmental Protection Act will not be needed and an environmental impact statement will not be prepared. Unocal and the resource agencies are working together with the consultant to develop the SEIR scope.

Unocal and Regional Board staff continue to address site-characterization issues through a mediated work group. A report containing data on bioassays performed on various site media was recently finalized. These data will be used to help determine appropriate treatment levels and reuse options for treated soils, address wetland restoration issues, and support the on-going risk assessments. The ecological and human-health risk assessments are still on schedule to be completed in September 2002.

Monterey Peninsula Airport (Former Naval

Auxillary Air Station) [Grant Himebaugh 805/542-4636]

Monterey Peninsula Airport is a formerly used defense site comprising 455 acres leased by the Department of Navy from the Monterey Peninsula Airport District (Airport) in 1942. The Airport is located adjacent to the City of Monterey. The Naval Auxiliary Air Station Monterey was commissioned from the mid-1940s until March 1972. Today the Airport serves the local area with commercial and private air service.

Petroleum and trichloroethene (TCE) groundwater plumes have been identified at the facility. The TCE plume is confirmed to have moved off site over 1,000 feet under the adjacent community. Highest TCE concentrations are 3000 parts per billion in the source area and 260 parts per billion in the nearest off-site wells. TCE's Maximum Contaminant Level is 5 parts per billion. The petroleum plume is at the property boundary and off site a short distance.

The plumes affect a low yield aquifer in predominantly low permeability, silt and clay soils. Local depth to groundwater varies in the twenty to fifty foot range. There are several private wells in the area which are included in the groundwater monitoring program. The surrounding community utilizes a municipal water supply system which does not use local groundwater. The low soil permeability conditions, combined with a limited budget, create the need for less traditional cleanup strategies, such as enhanced biodegradation. Current estimates indicate a doubling of cleanup costs (\$6.6 million total) for the next least expensive cleanup alternative.

The U.S. Army Corps of Engineers (Corps) acts as the U. S. Navy's primary contractor to remediate soil and groundwater contaminants resulting from past Naval operations at the Monterey Peninsula Airport (Airport). In January 2002, the Corps submitted a pilot study proposal for the trichloroethene (TCE) and petroleum groundwater plumes using a combination of three cleanup strategies; cometabolic enhanced biodegradation, chemically enhanced biodegradation, and soil vapor extraction.

Co metabolic and chemical biodegradation are proposed for the TCE source and downgradient

areas respectively. The co metabolic process would employ petroleum products from the adjacent/commingled petroleum groundwater plume as substrate (food), while hydrogen peroxide would be added at the downgradient treatment area adjacent to the neighborhood community center. Soil vapor extraction would be employed, in concert with enhanced biodegradation, at the source area. A combined strategy of soil vapor extraction and enhanced biodegradation is being successfully employed to treat a tetrachloroethene plume at the nearby Del Monte Shopping Center in Monterey. The shopping center has soil conditions similar to the airport.

Characteristics of the petroleum plume are well understood based on its groundwater monitoring history. The petroleum plume has been identified in predominantly low permeability silt and clay soils which have been shown to allow minimal plume movement under ambient conditions. Preliminary plans call for one petroleum source area extraction well to feed two petroleum reinjection wells adjacent to the TCE source area. The TCE source area would have one soil vapor, and two groundwater extraction wells. After using carbon treatment to remove TCE contaminants, the groundwater would be sent to four downgradient reinjection wells to reverse the groundwater flow direction and contain the plume (**see Attachment No. 2**).

The Corps also proposes a chemically enhanced (hydrogen peroxide) groundwater cleanup system adjacent to the Casanova Oaks Community Center. This system would have two extraction and six injection wells. Again, treated water would be reinjected for plume control.

After considerable discussion with Corps and Airport representatives, Regional Board staff is recommending approval of the pilot project with the following conditions:

1. The Corps converts the two TCE groundwater wells to groundwater *and* soil vapor (dual-phase) extraction. Regional Board staff believes this additional vapor extraction will be a cost-effective manner of increasing contaminant source reduction.
2. The monitoring network is increased to provide greater assurance that petroleum substrate

injection is properly contained. This is a conceptual condition. The final number and location of monitoring wells will be determined after the Corps uses well test data to refine their proposal.

3. The Corps provides a detailed operations contingency plan in the event the cleanup strategy is ineffective or petroleum substrates are found outside the source cleanup area. Funding must be kept in place to implement contingency plans.

4. The Corps agrees to system performance guidelines. Should guidelines not be met, injection of an additional, higher energy, substrate such as molasses or high lactose cheese whey will be considered.

5. The Corps provides a more thorough and detailed cost evaluation of cleanup alternatives for inclusion in their final written proposal.

6. Feedback from the surrounding community is received and considered by the Army Corp. Current plans call for an airport community meeting on March 20th, 6:00 pm, at the Casanova Oaks Community Center.

Due to very tight project scheduling, project details are evolving rapidly. Regional Board staff will provide details on any new developments as soon as they arise.

Underground Tanks Summary Report dated February 21, 2002 [Jay Cano 805/549-3699]

(See Attachment No. 3)

Regionwide Reports

Regional Monitoring [Karen Worcester 805/549-3333]

Monitoring - The Central Coast Ambient Monitoring Program (CCAMP) monitoring field team has begun sampling in the Santa Lucia rotation area. This includes approximately 30 sites ranging from the Carmel watershed to the Arroyo Grande watershed. We will continue to monitor water quality in the Santa Barbara area through the end of March, so for this three-month period we have twice our typical site count, keeping field

teams very busy. We are beginning to plan for spring sampling, which will include benthic invertebrate assemblages, sediment and water toxicity and sediment chemistry. Sampling will be done synoptically (at the same sites and time frame) to the extent possible, which requires close coordination with contract laboratories.

CCAMP staff met with researchers at the Granite Canyon Marine Pollution Studies laboratory to solidify plans for toxicity studies associated with the Department of Pesticide Regulation pesticide application database. Sites are being selected which show a range of "risk" from pesticide application in small drainages where the upstream watershed area can be easily characterized in terms of land use. Initial site selection has been completed, contract language was amended and a new contract package has been sent to the Contract's Office.

Karen Worcester has met several times with the new Morro Bay Volunteer Monitoring Program coordinator, Ann Kitajima. We want this program to be tightly coordinated with our CCAMP and TMDL programs and have spent time describing our various programs and how volunteer data can support them, how we have worked with the Monterey Bay National Marine Sanctuary to develop web-based data entry and display tools for volunteer use, and generally how important good quality assurance and data management will be to ensuring the success of the program. We expect the Morro Bay Volunteer Monitoring Program to play an important role in TMDL compliance monitoring. Ann has been learning quickly and we anticipate a productive relationship with her.

CCAMP staff have been providing support for grant proposals being developed by U.C. Davis researchers working on sea otter pathogen issues (National Sea Grant), and to U.C. Santa Barbara researchers developing tools for studying coastal ocean circulation in the eastern Santa Barbara channel (Minerals Management Service grant). In addition to letters of support, we have provided water quality data and other information in support of research plans.

The Central Coast Long-term Environmental Assessment Network (CCLEAN), our regionally-based discharger monitoring program in the Monterey Bay area, has submitted its first annual report of activities. Solid-phase extraction

columns have been installed in four wastewater treatment plant discharges to collect time-integrated samples for synthetic organic chemicals. The program has also completed its first round of sediment chemistry and benthic organism analysis, and has collected mussel tissue from a number of sites around the edge of the bay. The program has developed agreements with county water quality monitoring staff in both Monterey and Santa Cruz counties to include additional sites and parameters at twenty river mouths in the area. The first annual report includes initial findings from effluent grab sampling and for benthic invertebrate summary statistics from sediment samples, as well as a summary of activities to date. More detailed analysis of this and other data collected by the program will be included in the next annual report, due in January 2003. The Program Director, Dane Hardin, has also developed a Proposition 13 pre-proposal to work with sea otter pathologists at the CDFG Veterinary Care and Research Center to analyze sea otter tissues for synthetic organic chemicals and other pollutants.

Monitoring staff have participated in review and discussion with TMDL staff of a proposed 303(d) listing guidance document proposed by State Board staff, which lays out a fairly detailed approach for determining the quality of data and for documenting that a water quality problem is of sufficient concern to require a TMDL. This guidance may ultimately have an important impact on how we approach our monitoring efforts, because we need to ensure that CCAMP data can adequately support the TMDL listing process.

The Surface Water Ambient Monitoring Program (SWAMP) met on February 5th. Discussion has been heavily focused lately on budget, task orders and work plan issues. There is some concern that funds may be vulnerable if they are not encumbered immediately in contracts, and that having completed task orders and work plans in place will also help protect funds for next year. We have been completing task orders for sampling for 2002, and are beginning to develop the work plan for 2003, which is due to State Board staff in April.

Basin Planning - Basin planners have completed a draft index and glossary for the Basin Plan. Because these documents may need to be amended frequently, we are not anticipating that they be adopted into the Basin Plan, but that they be used

as auxiliary documents. They will be particularly useful with regard to electronic organization of the web site version, as we can link key words to both documents to enable quick location of text and definitions of terms. They are currently being circulated to office staff for comment.

Basin Planning and Cleanup Branch staff met to discuss how to proceed with a request from Chevron Corporation to de-designate portions of the Toro Creek groundwater basin from the Municipal/Domestic beneficial use because of high TDS levels. At this point the only groundwater basin which is not designated as having the "MUN" beneficial use is the Carizzo Basin, because of naturally high TDS levels. Staff will make a recommendation for Board consideration this spring on whether to proceed with a Basin Plan amendment on this item.

Data Management - We are still working to complete the 303(d) list information in the GeoWBS database. This database is in a Geographic Information System format and contains information on what pollutants are of concern in a given water body, what the probable sources are, whether beneficial uses are supported, what management measures are in place, etc. We now have a student volunteer assisting with this, and some aspects of the update are being completed by TMDL staff. This has been a time consuming (and still unfunded) task mandated by EPA as part of the Clean Water Act 305(b) report update.

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

Several Total Maximum Daily Loads (TMDLs) being developed by Region 3 staff were originally scheduled to be presented to the Regional Board for adoption into the Basin Plan during this fiscal year. Most of these projects were delayed for a variety of staffing, funding and/or technical reasons; however, they have all been rescheduled and will be presented to the Regional Board between May and December 2002. The current status and schedule for each of these TMDLs and the status of the San Lorenzo River Nitrate TMDL are discussed below.

The Chorro Creek Metals TMDL was scheduled for a Regional Board Hearing in December 2001.

Additional data analysis to complete the TMDL report at the end of fiscal year 2000-2001, and beginning of fiscal year 2001-2002, led to a proposal to delist this water. The delisting report was presented to the Regional Board in October 2001, and has been submitted with other Clean Water Act Section 303(d) List update information requested by State Board.

The Las Tablas Creek-Nacimiento Reservoir Mercury TMDL was scheduled for a Regional Board Hearing in June 2002. Finalization of the TMDL, preparation of the Basin Plan amendment documents and initiation of the Basin Plan amendment review process were all delayed as a result of pending litigation (related to water quality control actions other than the TMDL) that made information and additional technical assertions confidential. The litigation has been resolved and the TMDL Report was completed in December 2001. The TMDL is currently scheduled for presentation to the Regional Board in September or October 2002. The Draft Basin Plan Amendment Package is almost complete and will be submitted to the State Board for Scientific Peer Review and Basin Plan staff review by March 2002.

The Los Osos Creek Priority Organics TMDL was scheduled for a Regional Board Hearing in December 2001. Additional data analysis to complete the TMDL report at the end of fiscal year 2000-2001, and beginning of fiscal year 2001-2002, led to a proposal to delist this water. The delisting report was presented to the Regional Board in October 2001, and has been submitted with other Clean Water Act Section 303(d) List update information requested by the State Board.

The Morro Bay Nutrients TMDL was scheduled for a Regional Board Hearing in June 2002. The TMDL is now scheduled for presentation to the Regional Board in October 2002. Staff maternity leave and unexpected technical difficulties led to the delay. The Draft Basin Plan Amendment Package has been completed and will be submitted to the State Board for Scientific Peer Review and Basin Plan staff review in March 2002.

The Morro Bay Sediment TMDL was scheduled for a Regional Board Hearing in Dec 2001. Staff maternity leave and unexpected technical difficulties led to the delay. The TMDL is now scheduled for presentation to the Regional Board

in May 2002. The Basin Plan Amendment Package will be distributed for formal public comment at the end of February 2002.

The San Lorenzo River Sediment TMDL was scheduled for a Regional Board Hearing in June 2002. The TMDL is now scheduled for presentation to the Regional Board in September 2002. The delay is in direct response to late submittals by contractor performing technical work feeding into the TMDL in FY 00-01. This resulted in a domino effect delaying completion of implementation and monitoring plans and consequently, Basin Plan Amendment document preparation and review processes. The Draft Basin Plan Amendment Package is almost complete and will be submitted to the State Board for Scientific Peer Review and Basin Plan staff review in March 2002.

The status of the San Lorenzo Nitrate Total Maximum Daily Load (TMDL) has been in question for approximately one year while State Water Resources Control Board (State Board) staff deliberated about presenting the TMDL to the State Board as a Basin Plan Amendment. In December 2001, State Board staff communicated to Regional Board staff that this TMDL would not be approved by the Office of Administrative Law and therefore, could not be presented to the State Board for approval as a Basin Plan Amendment.

On January 17, 2002, Regional Board staff convened a phone meeting among staff representatives of the State Board and US Environmental Protection Agency (EPA) to determine how to respond to State Board staff's determination and how to proceed. At this meeting, we all agreed to postpone the TMDL and the Basin Plan Amendment.

According to David Smith from the US EPA, if a water body is currently impaired or threatened, and is therefore a water quality limited segment, there are only four possible outcomes for the water body involving pollutant issues under the current regulations. These four are: 1) the water is listed and a TMDL is completed for it; 2) the water is listed and later we find a TMDL is not necessary because it is now meeting standards, in which case the water is delisted at the next listing decision opportunity; 3) the water is not listed because of the existence of "other pollution control requirements (that are) stringent enough to

implement (any applicable standard);” or 4) the water is listed with a low priority to give other controls a chance to work, which eventually leads to option two or three above.

We agreed option four is how the Regional Board will proceed because the water body is listed and the Basin Plan already contains a control mechanism, as mentioned earlier, to reduce nitrate discharges. We expect this control mechanism to attain 30% reduction in nitrate loads. This reduction will reduce the nitrate threat to water quality. We also agreed that State Board could consider changing the TMDL priority status from a “high” priority to a “low” priority for the San Lorenzo River “nutrients” listing on the 303(d) List.

The following information provides background and some history of Regional Board action taken within this watershed related to nutrient and other water quality issues. In 1995, the Regional Board adopted a basin plan amendment that states discharges are allowed in the San Lorenzo watershed provided the County of Santa Cruz implements the Wastewater Management Plan for the San Lorenzo River Watershed and the San Lorenzo Nitrate Management Plan (Nitrate Management Plan). The amendment also requires the County of Santa Cruz to assure to the Regional Board that wastewater disposal systems protect and enhance water quality; that beneficial uses are protected and restored; and that nuisance, pollution, and contamination are abated.

Regional Board staff and US EPA staff determined this 1995 amendment satisfied many but not all TMDL components. For example, US EPA staff suggested to Regional Board staff that a numeric target, expressed as a concentration, rather than 30% reduction in nitrate, should be determined. The Regional Board staff recommended adoption of the TMDL because nitrate concentrations in the San Lorenzo watershed have increased since the 1950s, and appear to be threatening the municipal water supply beneficial use in terms of violations of the taste and odor narrative objectives. Nitrate could also be threatening to adversely affect the water contact and non-contact water recreation beneficial uses. The Regional Water Quality Control Board adopted a TMDL on September 15, 2000, that included the Nitrate Management Plan as the TMDL Implementation Plan. Regional Board staff submitted the amendment and

administrative records documents to the State Board on October 18, 2000.

In December 2001, the State Board staff informed Regional Board staff that they had determined the amendment does not meet the “necessity for the regulations” requirement for approval by the California Office of Administrative Law. This determination was made because the peer reviewer of this TMDL indicated the Regional Board had not established 1) a causal connection between the level of nitrate in the river and any adverse impacts on water quality, nor 2) any justifiable reason for the mandated 30% reduction.

Regional Board staff does not necessarily concur with the determination that the “necessity” test cannot be met (and responded accordingly to the peer review in “response to comments” in the Regional Board Hearing Staff Report for the TMDL adoption). However, Regional Board staff supports this outcome because the current Basin Plan already requires the County to implement the Nitrate Management Plan, monitor, and report on progress and effectiveness of the plan. The TMDL adopted by the Regional Board is based upon the Nitrate Management Plan. Furthermore, Regional Board staff does not support continuing to invest limited staff and contract resources in development of a TMDL for a water body with an existing water quality control mechanism in place.

Administrative Reports

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

On February 6, 2002, Burton Chadwick, Associate Engineering Geologist in the Tanks and Spills Unit, gave a presentation at the CUPA (Certified Unified Program Agency)/Annual Underground Storage Tanks Conference in Santa Clara. The talk outlined this Region's two relatively new UST program elements; (1) Post Closure Monitoring and (2) Active Service Station-Sensitive Aquifer Sampling. Burton gave his presentation during a course entitled, "Groundwater Investigations at Operating Service Stations," in conjunction with presentations by the Santa Clara Valley Water District and the San Diego Regional Board.

Alison Jones, WMI and Proposition 13 Coordinator, gave public workshops on the

Item No. 29
Executive Officer's Report

March 22, 2002

Proposition 13 Request for General Concept Proposals in San Luis Obispo, Santa Barbara and Santa Cruz during the month of January. More than 70 people attended the workshops.

Donette Dunaway, Environmental Specialist, attended a 24-Hour Hazwoper training offered by the HazMat Compliance Group on January 28-30, 2002 in Pismo Beach.

On January 15, 2002, William Arkfeld, Water Resources Control Engineer, attended a one day workshop on "Monitoring of Timber Harvest Plans". Several experts covered the pros and cons of monitoring timber harvesting activities. Regional board staff is increasingly requesting monitoring of proposed timber harvest projects.

On February 19, 2002, William Arkfeld also made a presentation at the Ag Expo in Watsonville. The audience was mostly farmers. The topic was "What Can Farmers Do Now to Solve Non-Point Source Pollution." The presentation focused on non-point sources, best management practices, resources available to farmers, voluntary compliance, monitoring, and TMDLs (total maximum daily loads). Regional Board staff intends to continue this sort of outreach to farmers at future Ag Expo events.

On January 31, 2002, Mike Higgins and Eric Gobler attended an NPDES Permit training workshop in Sacramento. This was a session to receive input from Regional Board staff and legal counsels. The result will be an organization-wide training for NPDES Permit writers this spring.

On February 8, 2002, several staff from the Watershed and Cleanup Branches met with the

Monterey County Deputy District Attorney to discuss ways to improve communication and coordination. The focus was on activities involving environmental compliance, especially ground and surface water quality.

On February 11, Jennifer Bitting, Water Resources Control Engineer, gave a workshop in Santa Barbara for City of Santa Barbara and County of Santa Barbara employees. The workshop covered the Storm Water Phase II Best Management Practices for Municipal activities.

The staff members listed below participated in one or more of the following trainings: Microsoft Word 2000 Intermediate, Microsoft Word 2000 Advanced, PowerPoint 2000 Intermediate, Powerpoint 2000 Advanced.

Mark Angelo	Grant Himebaugh
Amanda Bern	Bill Hoffman
Jennifer Bitting	Gerhardt Hubner
Lou Blanck	Vern Jones
Angela Carpenter	Carol Kolb
Burton Chadwick	Diane Kukol
Julia Dyer	Angus Lewis
Carrie Fauset	Bill Meece
Sue Gerdsen	Bruce Paine
Diane Glanville	Sheila Soderberg
Bonnie Glendenning	Joan Smithen
Eric Gobler	Christina St. Clair
John Goni	Lida Tan
Doug Gouzie	Matt Thompson
Hector Hernandez	Peter von Langen
Mike Higgins	

ATTACHMENTS

1. Letter of Support dated December 21, 2001 from The Ocean Conservancy
2. Map of Monterey Peninsula Airport
3. Underground Tanks Summary Report dated February 21, 2002