



# California Regional Water Quality Control Board Central Coast Region



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Arnold Schwarzenegger  
Governor

## MINUTES OF REGULAR MEETING Thursday and Friday, December 1-2, 2005 Central Coast Water Board

### Thursday, December 1, 2005, 1:00 p.m.

Chairman Young called the meeting of the Central Coast Water Board to order at 1:04 p.m. on Thursday, December 1, 2005, at the Central Coast Water Board Conference Room, 895 Aerovista Place, Suite 101, San Luis Obispo, California. Mr. Young announced his reappointment to the Regional Board.

1. Roll Call..... Executive Assistant Carol Hewitt

#### **Board Members Present:**

Chairman Jeffrey Young  
Vice-Chair Russell Jeffries  
Les Bowker  
John Hayashi  
Monica Hunter  
Daniel Press  
Gary Shallcross

2. Introductions ..... Assistant Executive Officer Michael Thomas

Assistant Executive Officer Michael Thomas introduced staff and asked all interested parties who wished to comment to fill out testimony cards and submit them.

3. Los Osos Community Services District, San Luis Obispo County ..... Order No. R3-2005-0137

Board members Les Bowker and Monica Hunter recused from the item. Please refer to transcript for hearing content on this item. Public comment on this item will be heard on December 2, 2005 at 11:00 a.m.

*(Chairman Young announced breaks at 4:40 p.m. and 6:40 p.m.)*

4. Public Forum ..... Board Direction

There was no comment for Public Forum.

Chairman Young adjourned the meeting at 7:50 p.m. The meeting will continue at 8:30 a.m. on December 2, 2005.

Friday, December 2, 2005, 8:30 a.m.

**Roll Call**..... Executive Assistant Carol Hewitt

**Board Members Present:**

- Chairman Jeffrey Young
- Vice-Chair Russell Jeffries
- Les Bowker
- John Hayashi
- Monica Hunter
- Daniel Press
- Gary Shallcross

**Introductions**..... Executive Officer Roger Briggs

Executive Officer Briggs introduced staff and State Board Liaison, Jerry Secundy. Mr. Briggs also introduced former Board member, Sig Christerson. He asked all interested parties who

wished to comment to fill out testimony cards and submit them. Supplemental sheets and the Question and Answer document are available for items: 10, 11, 13, 15, 21, 24, and 28.

**5. Approval of October 21, 2005 Meeting Minutes**.....Board Motion

**MOTION:** Russell Jeffries moved to approve the meeting minutes for October 21, 2005.

**SECOND:** Daniel Press

**CARRIED:** Unanimously (7-0)

**6. Report by State Water Resources Control Board Liaison**.....Status Report

State Board Liaison Jerry Secundy provided an update on State Board activities that covered the Los Osos CSD State Revolving Fund loan status, TMDLs, 303d List for Impaired Water Bodies, 316b Regulations for once-through cooling for

twenty-one California power plants, regulations for on-site septic systems within the State of California, and the Water Quality Coordinating Committee meeting.

**7. Uncontested Items Calendar** .....Board Motion

Mr. Briggs proposed adding Item #10/Pajaro River Nitrate TMDL to the proposed consent calendar.

**MOTION:** Les Bowker moved to approve items 10, 18, 19, 20, 23, 24, and 25 for the consent calendar.

**SECOND:** Daniel Press

**CARRIED:** Unanimously (7-0)

**11. Pajaro River Sediment Total Maximum Daily Load .....Resolution No. R3-2005-0132**

Water Board Staff Engineer Larry Harlan presented the proposed Basin Plan amendment that would establish sediment TMDLs and a land disturbance prohibition. Mr. Harlan summarized the various sediment sources, described the numeric targets, and outlined the TMDL implementation plan. The implementation plan included a new land disturbance prohibition for the control of nonpoint sources. Mr. Harlan and Senior Water Board staff member Lisa McCann addressed Board comments regarding sand and gravel mining, the issuing of permits, and TMDL implementation activities and schedules. Board member Daniel Press specifically expressed concern that the numeric targets may not be protective enough and questioned staff about the

values proposed. Executive Office Briggs pointed out that the end result of land use practices (and our expectations of the management plans) would not be different with slightly adjusted numeric targets. Staff member Amanda Bern addressed Board comments regarding agricultural implementation activities and staff member Donette Dunaway addressed Board comments regarding municipal storm water permits.

David Drury of the Santa Clara Valley Water District and Mary Ellen Dick of the San Benito and Santa Clara Valley Farm Bureau provided public comment that supported staff's recommendation to adopt the Basin Plan amendment.

**MOTION: Gary Shallcross moved to approve Resolution No. R3-2005-0132.**

**SECOND: Russell Jeffries**

**CARRIED: Unanimously (7-0)**

**8. On-Farm Management Practice Implementation .....Status Report**

Staff Environmental Scientist Amanda Bern presented information about the importance of technical assistance agencies in implementing farm management practices, and discussed some challenges to implementation. Emily Hanson, Kay Mercer, Kirk Schmidt, Dawn Mathes, and Karen Christianson each voiced concerns with State Board's GPS requirement for all new grants. The individual speakers expressed that the GPS requirement will preclude offering technical assistance, particularly from the Resource Conservation Districts and the Natural Resources Conservation Service, to growers due to their confidentiality policy of disclosing project locations. Speakers commented that there is already a lack of technical assistance providers available to growers, and this new GPS

requirement further decreases funding for staff. The speakers thanked Regional Board staff for supporting industry on the GPS issue. They also thanked Roger Briggs for the memo sent to State Board, which asked for relief from, and proposed alternatives to the GPS requirement, while still addressing concerns about the use and accountability of public funds. Some of the speakers indicated that, after discussing this issue for seven months with State Board staff, the State Board was still not receptive to removing the GPS requirement. Dawn Mathes and Emily Hanson asked the Regional Board members to stay informed and become part of the decision making process to influence the State Board on the GPS requirement issue.

*(Chairman Young announced a break at 10:30 a.m. The meeting reconvened at 10:40 a.m.)*

**21. Monarch Grove Homeowners Association, San Luis Obispo County ..... Order No. R3-2005-0090**

Water Board staff, Sorrel Marks, summarized the staff report and recommendations resulting from the October 6, 2005 panel hearing regarding the proposed Administrative Civil Liability (ACL) Order. Ms. Marks also summarized supplemental information regarding a proposed Supplemental Environmental Project (SEP) to be funded by a portion of the assessed penalty. The SEP is expansion of an existing Mutt Mitt program, which provides refuse collection gloves and waste bins at public access points surrounding Morro Bay Estuary. The program has been successful for several years and would be continued and expanded with the use of SEP funds.

Board counsel Lori Okun recommended deletion of a redundant sentence (last sentence of first page of supplemental sheet). Sandra Beebe, manager of the Mutt Mitt program, described the program's current

and future activities and answered questions regarding the efficiency of on-the-ground implementation (virtually no overhead). The National Estuary Program provides oversight and funding is handled by the Bay Foundation. Monarch Grove Homeowner's Association attorney, Saro Rizzo, and Director, Jim Wilson, requested reduction of the recommended penalty. Mr. Wilson also assured the Board that the treatment plant is inspected frequently. Martin Bragg, Monarch Grove resident addressed the Board, saying he appreciated the work of the staff and the Board on this issue.

The proposed ACL Order was adopted unanimously by the Board, incorporating the Mutt Mitt Supplemental Environmental Project, with the correction recommended by Lori Okun, and adding annual reporting of SEP activities.

**MOTION: Daniel Press moved to approve Order No. R3-2005-0090.**

**SECOND: Russell Jeffries**

**CARRIED: Unanimously (7-0)**

**9. Guadalupe Fund: Permit Streamlining for San Luis Obispo and Santa Barbara Counties ..... Board Approval**  
The Board added this item to the consent calendar.

**MOTION: Les Bowker moved to approve the addition of Item #9 to the consent calendar.**

**SECOND: Daniel Press**

**CARRIED: Unanimously (7-0)**

*(Chairman Young announced a break at 11:12 a.m. The meeting reconvened at 11:20 a.m.)*

**3. Los Osos Community Services District, San Luis Obispo County ..... Order No. R3-2005-0137**

Board members Les Bowker and Monica Hunter recused from the item. Please refer to transcript for hearing content on this item. Public comments were heard (see attached list of speakers). The

hearing will be continued on Thursday, January 5, 2006 at 11:00 a.m. at the Regional Board offices in San Luis Obispo.

*(Chairman Young announced a lunch break and closed session meeting at 1:34 p.m. The meeting reconvened with public comment at 2:36 p.m.)*

**12. Spills, Leaks, Investigation, and Cleanup.....**Status Report

This item will be addressed at a later date.

**13. Guadalupe Oil Field, San Luis Obispo County .....**Status Report

This item will be addressed at a later date.

**14. Perchlorate Cases .....**Status Report

This item will be addressed at a later date.

**15. Corrective Action Plan.....**Status Report

A written report was submitted for this item.

**16. Low Threat and General Discharge Cases.....**Information/Discussion/Board Approval

A written report was submitted for this item.  
There were no questions from the Board or the public.

**17. Enforcement Report.....**Status Report

This item will be addressed at a later date.

**26. Public Forum.....**Board Direction

There was no comment for Public Forum.

**27. Reports by Central Coast Water Board Members.....**Status Report

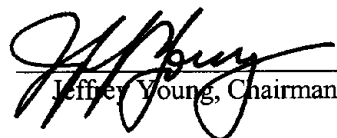
This item will be addressed at a later date.

28. **Executive Officer's Report** .....Information/Discussion

This item will be addressed at a later date.

Chairman Young adjourned the public meeting at 6:30 p.m.

The meeting was audio recorded and the minutes were reviewed by management, and approved by the Board at its February 9-10, 2006 meeting in Salinas, California.

  
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Jeffrey Young, Chairman

ATTACHMENT

H/ALLMYDOCS/BOARD MINUTES/DEC05mins/carol

## Speakers at Regional Board Meeting December 1-2, 2005 – San Luis Obispo

Agenda Item No.	Name	Affiliation
<b>December 1, 2005</b>		
3	John Seitz	Atty/Consultant/LOCS D
3	John McClendon	Attorney/LOCS D
3	Ed Moore	Monterey Mechanical
3	Bruce Buel	General Mgr on Admin Lv/LOCS D
3	Dan Bleskey	Interim General Mgr/LOCS D
3	Rob Miller	Engineer, Wallace Group/LOCS D
3	Lisa Schicker	President/LOCS D
3	Chuck Cesena	Director/LOCS D
<b>December 2, 2005</b>		
11	David Drury	Santa Clara Valley Water District
11	Mary Ellen Dick	Santa Clara/San Benito Farm Bureaus
8, 11	Kirk Schmidt	Preservation, Inc.
8, 11	Dawn Mathes	Central Coast Water Quality Coalition
8, 11	Karen Christensen	Santa Cruz RCD
8, 11	Kay Mercer	SLO/SB Counties Agricultural Watershed Coalition
8, 11	Emily Hanson	RCD of Monterey County
21	Sandra Beebe	Mutt Mitt Program
21	Saro Rizzo	Attorney, Monarch Grove Homeowners Assoc.
21	Jim Wilson	Monarch Grove Home Owner
21	Martin Bragg	Monarch Grove Home Owner
3	Bruce Buel	General Mgr on Admin Lv/LOCS D
3	Ed Moore	Monterey Mechanical
3	Christine Robertson	Assemblyman Blakeslee's Office
3	Rob Miller	Engineer, Wallace Group/LOCS D
<b>Public Comment</b>		
3	Julie Biggs	Burke, Williams & Sorensen, Riverside
3	Joyce Albright	Taxpayer's Watch
3	David Duggan	Resident, Los Osos
3	Eric Greening	Water Resources Advisory Committee
3	Scott Kimura	Resident, Los Osos Valley
3	Al Barrow	CASE
3	Linde Owen	Resident, Los Osos
3	Daniela Anon	Resident, Los Osos
3	Alon Perlman	Resident, Los Osos
3	Julie Tacker	Resident, Los Osos/LOCS D Director
3	Chris Allebe	Resident, Los Osos
3	Alan Martyn	Resident, Los Osos
3	Bruce Payne	Resident, Los Osos
3	James Tkach	Resident, Los Osos
3	Fred Dellagatta (read letter for Ted Peterson)	Resident, Los Osos
3	Cynthia Hawley	Parker & Hawley, LLP
3	Steve Senet	Resident, Los Osos/LOCS D Director

3	John Perkins	Resident, Los Osos
3	John Fouche	Resident, Los Osos/LOCSO Director
3	Steve Paige	Resident, Los Osos
3	Gail McPherson	Los Osos Technical Task Force/Resident, Los Osos
3	Vivian McNeill	Resident, Los Osos
3	Marla Bruton	Central Coast Ocean Outfall Group
3	Wade Akle	Resident, Los Osos
3	Chuck Cesena	Resident, Los Osos/LOCSO Director
3	Jan Di Leo	Resident, Los Osos
3	Karen Venditti	Resident, Los Osos
3	Richard Sadowski	Central Coast Ocean Outfall Group
3	Marla Bruton	Central Coast Ocean Outfall Group
3	Joey Racano	Orange County Ocean Outfall Group
3	Don Bearden	Resident, Los Osos
3	Barbara Akle	Resident, Los Osos
3	Bo Cooper	Resident, Los Osos
3	Lacey Cooper	Resident, Los Osos
3	Richard Margetson	Resident, Los Osos
3	Michael Moore	Resident, Los Osos
3	Frank Galicia	Resident, Los Osos
3	Vita Miller	Resident, Los Osos