

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

STAFF REPORT FOR REGULAR MEETING OF JULY 7-8, 2005

Prepared on June 14, 2005

ITEM NUMBER: 38

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.

WATER QUALITY CERTIFICATIONS

[Sandy Cheek 805/542-4633]

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 pages lists applications received from April 1, 2005 to May 31, 2005.

WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED FROM APRIL 1, 2005 THROUGH MAY 31, 2005

Applicant	Project Title	Project Description	Project Location	County	Receiving Water	Received Date	Action Taken/ Certification Date
St. Johns Lutheran Church	St. Johns Lutheran Church Sewer Crossing	Trench and lay water and sewer lines across Los Berros Creek.	Arroyo Grande	San Luis Obispo	Los Berros Creek	01-Apr-05	Standard Certification 5/31/05
Gary Ruggerone - Caltrans	Line Culverts in Morro Bay	Place epoxy pipe liner in two corroded culverts to stop and prevent further corrosion.	East of Morro Bay	San Luis Obispo	Morro Creek	07-Apr-05	Standard Certification 5/31/05
Gary Ruggerone - Caltrans	Gorda Line Culverts	Place epoxy liner inside three corrugated metal pipe culverts.	Gorda	Monterey	Spruce Creek	07-Apr-05	Standard Certification 5/31/05
Steven Troesh - Troesh Ready Mix, Inc.	Diamond Rock Aggregate Processing Facility	Extract sand and gravel from the Cuyama River for processing and sales.	Maricopa	Santa Barbara	Cuyama River	08-Apr-05	Pending
Mike Virgilio - Ozena Valley Ranch	Ozena Valley Ranch Bank Repair	Restore the portion of the north bank of the Cuyama River, running through Ozena Valley Ranch, which was recently destroyed by high river flows.	Lockwood Valley	Ventura	Cuyama River	07-Mar-05	Standard Certification 5/31/05
Don Matlock	Heritage Estates Creek Encroachment	Construct a 73-foot clear span bridge with abutments and install a culvert to provide road drainage.	Morgan Hill	Santa Clara	Uvas Creek	11-Apr-05	Pending
Matt Horn - City of San Luis Obispo	Railroad Culvert Silt Removal	Remove deposited silt, replace existing culvert bar screen, install a new debris catching structure and repair the existing bank of Syndey Creek.	San Luis Obispo	San Luis Obispo	Sidney Creek	02-May-05	Pending
Dan Loomis	Loomis Tank Storage	Extend the existing 54-foot culvert by 15 feet, as required, to allow widening of Hutton Road. A separate 30-foot section of existing 36-inch CMP culvert and headwalls will be removed.	Nipomo Mesa	San Luis Obispo	Nipomo Creek	05-May-05	Pending

	Traffic Way will be widened and an 18-inch culvert and riprap installed to facilitate stormwater drainage.	Atascadero	San Luis Obispo	Unnamed tributary to Salinas River	06-May-05	Pending
	Install a concrete headwall within the banks of Adobe Creek as part of the approved stormwater detention basin.	Solvang	Santa Barbara	Adobe Creek	09-May-05	Pending
Division of Emergency	Repair and stabilize the creek bank below an emergency access road.	Venadito Canyon	Santa Barbara	Venadito Creek	11-May-05	Pending
California V, Santa Ingh Cation	Relocate 9,250 linear feet of gas pipeline which will cross wetlands and waters of the United States.	Santa Margarita	San Luis Obispo	Tributary to Santa Margarita Creek	11-May-05	Pending
Marcos River	Repair two irrigation wells placed in the Santa Ynez River.	Santa Barbara	Santa Barbara	Santa Ynez River	16-May-05	Pending
K LLC t of Creek	Install two storm outfall structures for a six-lot subdivision.	San Martin	Santa Clara	W. Llagas Creek	23-May-05	Pending
Drainage Outfall	Install a RCP storm drain pipe and associated structures to transport stormwater from the new Highway 25 Hollister Bypass.	Hollister	San Benito	Santa Ana Creek	25-May-05	Pending
Bridge storm fair	Repair eroded bridge abutment foundations that resulted from winter 2005 storms.	Santa Barbara	Santa Barbara	Mission Creek	25-May-05	Pending

Watershed Reports

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

Staff completed or will complete the following TMDL reports by June 30, 2005:

Carbonera Creek Pathogen TMDL- Data Collection and Analysis Report
Corralitos Creek Pathogen TMDL- Data Collection and Analysis Report
Clear Creek-Hernandez Reservoir Mercury TMDL- Compliance Monitoring
Monterey Harbor Lead TMDL- Delisting Proposal
Morro Bay Pathogens TMDL- Implementation Status Memo
Morro Bay Sediment TMDL- Implementation Status Memo
Pajaro River Nutrient TMDL- Final Project Report
Pajaro River Sediment TMDL- Draft Basin Plan Amendment
Salinas River Nutrient TMDL- Final Preliminary Project Report
Salinas River Pesticides TMDLs -Final Project Report
San Lorenzo River Estuary Pathogen TMDL- Use Attainability Analysis for the Shellfish Harvesting Beneficial Use
San Lorenzo River Nitrate TMDL- Implementation Status Memo
San Lorenzo River Sediment TMDL- Implementation Status Memo
San Luis Obispo Creek Nutrients TMDL- Draft Basin Plan Amendment
Soquel Lagoon Pathogen TMDL- Use Attainability Analysis for the Shellfish Harvesting Beneficial Use
Watsonville Sloughs Pathogen TMDL - Draft Basin Plan Amendment
Watsonville Slough Sediment TMDL- Delisting Proposal

In June and July, our staff will be reviewing draft recommendations, developed by State Board staff this past year, for updating the Clean Water Act, Section 303(d), List of Impaired Waters. State Board staff anticipates distributing the list for public comment in Fall 2005, and making a recommendation to the State Board for changes to the list in Winter 2006.

In this upcoming fiscal year, staff will be

connecting implementation progress to measurable changes in water quality. This will require increased staff time preparing and implementing TMDL implementation plans consistent with the State's Policy for the Implementation and Enforcement of the Nonpoint Source Pollution Control Program. We will need to more directly identify and communicate with a greater variety and number of potential nonpoint source dischargers (e.g., rural residential landowners, grazing lands owners and managers) than we have in the past. We will also need to insure that we establish reporting and monitoring mechanisms and funding that provide us the capability to assess measurable water quality changes from our staff's outreach and regulatory efforts, coupled with changes to or additional management practices by dischargers. The Pajaro River Sediment TMDL and Watsonville Slough Pathogen TMDL Implementation Plans pilot this new approach and are scheduled to be presented to the Board for approval in December 2005 or February 2006.

Storm Water Municipal General Permit [Jennifer Bitting, 805/549-3334]

Phase II Regulations required designated small Municipal Separate Storm Sewer Systems (MS4s) to obtain coverage under a State Board issued general permit by March 10, 2003. Due to delays that resulted from a Ninth Circuit Court decision, the permit was not adopted until April 30, 2003. The adopted permit set new dates by which the MS4s are required to submit a Notice of Intent to comply with the terms of the permit.

A small MS4 is defined as any unpermitted MS4 located in an "urbanized area" (an area with a population of 50,000 and a population density of 1,000/square mile) or an "urban cluster" (an area with a population of 10,000 and a population density of 1,000/square mile), as defined by the Bureau of the Census. A small MS4 could be designated to be covered by the Phase II program in either of two ways:

1. Automatic Nationwide Designation. The Storm Water Phase II Regulations require automatic nationwide coverage of all small MS4s that are located within the boundaries of an urbanized area as determined by the Bureau of the Census based on data from the latest Census. Attachment 1 of the permit is a list of automatically designated MS4s

2. Designation by the Regional Board. Operators of small MS4s located in an urban cluster, as defined by the Bureau of the Census, could be designated if the Regional Board determines that storm water discharges from the small MS4 into a local water body cause, or have the potential to cause, a threat to water quality. Regional Board staff used the following criteria to recommend additional small MS4s for designation:

- a. Discharge to a 303d listed water body;
- b. High growth;
- c. High tourism;
- d. Discharge to a Marine Sanctuary

Attachment 1 of the permit is a list of **26 MS4s designated due to the automatic nationwide designation criteria.** These MS4s were required by the permit to submit a complete application for permit coverage by August 8, 2003.

Attachment 2 of the permit is a list of **10 MS4s designated by the Regional Board.** On November 1, 2002, this list was presented to the Board for comment. These MS4s were required by the permit to submit a complete application for permit coverage by October 27, 2003.

Federal and State Facilities are also required to obtain permit coverage, either individually, or as a co-permittee with a contiguous municipality. Attachment 3 of the permit is a list of **91 designated State or Federal MS4s.** These MS4s were required by the permit to submit a complete application for permit coverage by April 30, 2004, a date the Regional Board decided upon at the July 11, 2003 Board meeting.

Attachment A (attached) shows the status of the MS4 permit applications for all MS4s listed in Attachment 1 and Attachment 2 of the permit, and two Attachment 3 MS4s.

Avila CSD Outfall Construction/Real-Time Monitoring, Avila Beach [John M. Robertson, 805/542-4630]

In June 1998, Unocal, several state and local agencies, and private parties entered into a settlement agreement and stipulated judgment to settle legal claims arising from the discharge of petroleum from Unocal's pipelines beneath Front Street in Avila Beach. The settlement specified

that \$900,000 be directed toward water quality projects chosen by the Central Coast Water Board (Board). Two of the projects approved by the Board for funding were: (1) Extension of the Avila Community Services District's (Avila CSD) ocean outfall; and (2) Real-time monitoring of water quality parameters at a station located on the end of the former Unocal pier in Avila.

At their May meeting in Watsonville, the Board approved additional funding to extend the Avila CSD's outfall by approximately 480 feet. A portion of the funding for this project and the additional funding approved at the May meeting come from the Board's Avila Beach Settlement Fund. At the May meeting, the Board chairman inquired whether outfall construction could be monitored through the nearby real-time monitoring station. Staff forwarded the construction schedule for the outfall extension and has initiated discussions with the Cal Poly staff that operate the real-time monitoring station. At this time, it is not clear if construction will be detectable at the former Unocal pier, which is located approximately 2000 feet from the present outfall. Outfall construction will likely commence in July and is slated for completion in mid-September. Evaluation of monitoring data associated with the construction project from the Cal Poly's real-time station, if identifiable, will be reported in the Executive Officer's Report late this calendar year (likely December).

Cleanup Reports

Underground Tanks Summary Report dated March 30, 2005 [Burton Chadwick 805/5424786]

[See Attachment B]

Regional Monitoring

Regional Monitoring Report [Karen Worcester 805/549-3333]

The Central Coast Ambient Monitoring Program (CCAMP) has had two field teams busy through the spring, conducting both our regular water quality monitoring and benthic invertebrate bioassessment at all coastal confluence sites and in the Pajaro and North Coast Area watershed areas. This has been a very labor-intensive field season, for several reasons. This is the first year we are trying to conduct flow monitoring each month at

our sites. We are implementing new, more time-intensive habitat assessment protocols associated with bioassessment sampling, which will provide better numeric characterization of riparian corridor integrity, shading, bank stability and in-stream habitat quality. We are also testing two benthic

2002, from Carmel River south through San Luis Obispo's coastal streams, and Santa Barbara county south of the Santa Maria River. This document has been transmitted to SWAMP program staff and contractors for review, and may go through formal scientific peer review; this is a

Sandy Cheek and Kelley Blackshear attended California Integrated Water Quality System (CIWQS) User Acceptance Training and Beta Testing on May 16-17. CIWQS will integrate the functionality of the System for Water Information Management (SWIM1), GeoSpatial Waterbodies System (GeoWBS), and Electronic Self-Monitoring Reporting (ESMR) applications into the Geotracker system architecture.

Karen Worcester and Mark Angelo attended CIWQS Beta Testing for the GeoWaterBody System on May 16 - 17. GeoWBS is the Geographic Information System-based software that we use to conduct our water quality assessments for 305(b) reporting and for 303(d) listing. Tetratich is integrating GeoWBS with the new CIWQS system so that it will be more accessible to other data users in the future. We spent time after the workshop testing the software for "bugs" and other problems.

On May 26, Alison Jones gave a presentation on the conditional waiver to a meeting of Agricultural Commissioners from most of the counties in Region 3.

In June 2005, Water Board staff Roger Briggs, Michael Thomas, Harvey Packard, Lisa McCann, Sheila Soderberg, Jennifer Bitting, and Lou Blanck attended "Leading Change" training sponsored by the Water Board Training Academy in Sacramento.

On June 2, Alison Jones gave an update on the conditional waiver to a meeting of the San Luis Obispo County Ag Task Force and on June 7 gave an update to the Avocado Society.

Dave Paradies gave a presentation on website-based data management tools for the Monitoring Subcommittee of the Cooperative Monitoring Program for Agriculture, on June 2. Committee members were excited about the possibility of adapting the CCAMP system for use by their own non-profit.

Lisa McCann has completed about half of a ten-month training program called "Leadership San Luis Obispo," sponsored by the San Luis Obispo Chamber of Commerce. As part of this program Lisa has attended a two and a half-day retreat in January 2005, and a series of monthly, day-long meetings (which continue through October). She has participated in the following skill building

activities that are directly relevant to her responsibilities and future potential work for the Board: made impromptu presentations and accepted group critiques; facilitated discussions; evaluated self against classic "leadership qualities;" created and agreed to be coached on an individual leadership plan that applies to her current supervising and program management responsibilities; practiced collaborative decision-making; got filmed while under questioning by a reporter in a mock media interview; simulated planning a new town or master planned community.

Lisa McCann has also completed all three leadership courses in the Water Board's Training Academy- the Art and Science of Leadership in April, the Work of Leadership in May and Leading Change in June.

ATTACHMENTS

- A. Phase II Municipal Stormwater Permit Status
- B. Underground Tanks Summary Report

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