

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

STAFF REPORT FOR REGULAR MEETING OF SEPTEMBER 7-8, 2006
Prepared on August 14, 2006

ITEM NUMBER: 6

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

[Dominic Roques 805/542-4780]

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 May 1, 2006 to June 30, 2006.

Water Quality Certification Applications Received From May 1, 2006 Through June 30, 2006

Applicant	Project	Purpose	Location	County	Receiving Water	Received	Certified
Atascadero Mutual Water Company	Salinas River Waterline Improvement	Insert new 300-foot pipe below existing pipe through a lateral bore hole on the riverbed. In the event of a frac-out, temporary construction activities in the riverbed would be necessary to cleanup drilling mud.	Atascadero	San Luis Obispo	Salinas River	4-May-06	20-Jun-06
Mario Melo	Wilder Court Single Family Residence	This project will fill approximately 200 LF of drainage swale (60 CY of fill) and create a new drainage swale along the property line of the parcel (approximately 150 CY cut)	Gilroy	San Luis Obispo	Church Creek to Llagas Creek	12-May-06	
D.A. Fetyko, Inc.	Tract 2024 - Carmel Road Culvert Crossing	Project was completed prior to 404 approval. Raise existing 36-inch culvert, install new 24-inch culvert. Wetland mitigation of 2:1 ratio.	Atascadero	San Luis Obispo	Trib to Salinas River	15-May-06	
Santa Barbara Foothills LLC	Preserve at San Marcos Development Project	the removal of an existing unauthorized diversion structure (dam); Riparian restoration (enhancement) of a 450-750 ft long by 100-foot wide section	Santa Barbara	Santa Barbara	Cieneguitas Creek	15-May-06	
Glen Priddy, County of SLO Public Works	Old Creek Road Bank Stabilization	To repair Old Creek Road - creek scour has eroded the shoulder and a portion of the roadway	Cayucos	San Luis Obispo	Trib to Old Creek, Whale Rock	23-May-06	12-Jul-06

Item No. 6
Executive Officer's Report

Maria Shropshire	Maria's Spa	Grading, utility installation, building construction, construction of outfall into Little Llagas Creek	Morgan Hill	Santa Clara	Little Llagas Creek	23-May-06	28-Jul-06
Kenneth D. Stokes	Tract 1990	Construction of Heritage Loop Road and the installation of culverts and associated storm water controls (rip-rap, etc) additional rip-rap as required to slow creek flows during storm events.	Paso Robles	San Luis Obispo	Unnamed trib to Lake Nacimiento	23-May-06	July 19 2006
Kiler Canyon Parnters LLC	Kiler Canyon TR 2754	Installation of a 210 ft. long, 36-in, HDPE culvert pipe under the main access road to a residential subdivision. Light class rip-rap outfall structures would also be constructed on each end of the culvert.	Paso Robles	San Luis Obispo	Unnamed tributary to Salinas River	19-May-06	18-Jul-06
Atascadero Land Preservation Society	Atascadero Creek Bank Stabilization Project	A toe trench with 40 tons of rock will be used to stabilize the failed bank. Construction of a channel bed access ramp will be necessary for heavy equipment to reconstruct the bank.	Atascadero	San Luis Obispo	Atascadero Creek	30-May-06	
PVP Investment Group Partnership	PVP Development Project (Tract 2554)	A residential development requiring the construction of two outfall structures in Pismo Creek, the replacement of an existing road crossing a culvert, installation of a new road crossing a separate drainage, and the removal of willow riparian vegetation for construction.	Pismo Beach	San Luis Obispo	Pismo Creek and two unnamed drainages	1-Jun-06	

Item No. 6
Executive Officer's Report

Kelly V. Gearhart	Gearhart Residence-Access Road	Construction of an elevated concrete driveway, requiring fill in a jurisdictional wetland with drainage provided by seven 24" culverts at 100-foot intervals. Eight additional similar culverts will be placed every 100 feet in low-lying areas.	South of San Luis Obispo	San Luis Obispo	San Luis Obispo Creek	6-Jun-06	28-Jul-06
Ben Phillips-Mercy Housing	St. Vincent's Mercy Housing Project	The amendment of existing cert to include 35 LF of rock rip-rap protection along north stream bank and 130 LF of rock rip-rap on south bank along with the planting of freshwater marsh species. Also, under permit #43, the replacement of concrete culvert with a 42 " RCP culvert.	Santa Barbara	Santa Barbara	Cieneguitas Creek	18-May-06	11-Jul-06
Cindy Lewis	Lewis Residence Culvert Reconstruction and Bank Stabilization	Reconstruction of existing culvert under a private residence driveway. Culvert alignment and ingress/egress protection adjusted for improved flow. Stabilization of creek bank, bed, and city culvert near existing residence. Damaged bank will be protected with fabric and armored with rock.	Paso Robles		Unnamed tributary to Stoney Creek	22-Jun-06	

WATERSHED REPORTS

Storm Water Municipal General Permit [Ryan Lodge 805/549-3506]

Water Board staff is currently developing the response to comment letters submitted by interested parties for the City of Santa Maria Storm Water Management Program (SWMP). Water Board staff met with the City of Santa Maria in July 2006, to discuss comment letters and revisions to their SWMP. Water Board staff is reviewing the revised San Luis Obispo County SWMP, submitted June 30, 2006, and the University of California, Santa Cruz revised SWMP submitted March 16, 2006. Staff reviewed and sent comment letters for 12 school district SWMPs within Santa Barbara and San Luis Obispo Counties. Staff inspected 10 single school district sites in Santa Barbara County to determine if coverage under General Permit is warranted. The Board, at the last meeting, asked about a Los Osos listing for a storm water management plan. The Los Osos CSD submitted a SWMP in March 2003, for storm water issues under their jurisdiction. The CSD maintains a number of retention basins and is responsible for drainage. The current status of the Region's Phase II SWMP review is shown in **Attachment A**.

Update on Moss Landing Power Plant and Pilot Desalination Plants [Peter von Langen 805/549-3688]

The Moss Landing Power Plant NPDES permit has been on Administrative Extension since October 2005. Water Board staff plans to propose a renewed NPDES for the facility in 2007, after the federal court issues its decision

regarding litigation over Clean Water Act Section 316(b) regulations. That decision is expected sometime in late 2006. Also, the existing permit for the Moss Landing Power Plant is still in litigation due to a lawsuit by Voices of the Wetlands. Staff recommends against proposing a renewed Moss Landing Power Plant permit to the Water Board until the courts resolve these issues. In the meantime, the existing NPDES permit is in full regulatory force.

Ms. Madeline Clark of the Elkhorn Slough Coalition requested that staff propose a renewed NPDES permit for the Moss Landing Power Plant sooner, rather than after the courts resolve the lawsuits mentioned above. Communications between staff and Ms. Clark are included here as **Attachments B, C, and D**. Ms. Clark requests a hearing on the Moss Landing Power Plant permit primarily because a pilot desalination project (proposed by California American Water Company) will utilize the intake and outfall structure of the power plant.

The pilot desalination project will use approximately 0.14 million gallons per day (MGD) of heated seawater from the Moss Landing Power Plant once-through cooling flow. The pilot desalination project will produce brine and product water, recombine the brine and product water back to its original composition as seawater, and recombine that flow with the much larger Power Plant cooling water flow, which discharges approximately 600 feet offshore of Moss Landing. The average Power Plant discharge flow volume is 540 MGD. The flow volume of the pilot desalination project will be 0.14 MGD, or 0.026% of the Power Plant discharge.

The Power Plant discharge and the pilot desalination discharge are permitted separately. Staff is enrolling the pilot desalination discharge under the Water Board's low threat discharge permit (**see Item No. 7 on this agenda**).

Status of State Board and State Lands Commission Policies Regarding Once-through Cooling

The State Lands Commission adopted a resolution regarding once-through cooling on April 17, 2006 [**see Attachment E**]. The resolution acknowledges the impacts caused by once-through cooling, encourages the use of technologies to reduce the impacts, and requires utilities to be in compliance with the laws and regulations regarding once-through cooling as a condition of lease agreements between the Lands Commission and utilities. The resolution does not prohibit once-through cooling.

The California Ocean Protection Council also adopted a resolution regarding once-through cooling and funded an engineering and operations study of coastal power plants that use once-through cooling. The study will investigate technologies to reduce the impacts of once-through cooling at power plants in California.

State Water Board staff also drafted a policy regarding once-through cooling, and is currently conducting workshops to get public input on the draft policy. The draft policy addresses the scope of assessments that should be done, assessment methods that should be used (based largely on the work done on our power plant projects), and requirements to reduce or offset

impacts, including the use of mitigation. State Board staff is also conducting a training workshop for Water Board staff and other agencies regarding the assessment of once-through cooling water impacts, technologies to reduce impacts, and relevant regulations.

Staff will continue to update the Water Board regarding Central Coast Region power plants and once-through cooling issues as they develop.

Timber Harvest Program Follow-up
[Julia Dyer 805/594-6144]

At the July 7, 2006 Board Meeting, staff member Julia Dyer presented a status report update regarding the Timber Harvest Program. The update summarized activities conducted since July 8, 2005, when the Central Coast Regional Water Quality Control Board (Water Board) adopted the General Conditional Waiver for Timber Harvest Activities on the Central Coast (General Waiver). Based on the status report and information provided during the public comment period, the Water Board requested a follow-up report addressing the following issues: 1) The feasibility for timber harvest plans to receive their original monitoring tier ranking when planned winter harvesting are not conducted, 2) The extended length of time to enroll plans under the General Waiver. The Water Board directed staff to provide an Executive Officer's Report explaining how these issues will be addressed.

The Feasibility For Plans To Receive Their Original Tier Ranking When Winter Harvesting Are Not Exercised.

When a Timber Harvest Plan (THP) or Nonindustrial Timber Management Plan (NTMP) is enrolled under the General Waiver it receives a Monitoring and Reporting Program (MRP). During the enrollment process, the plan is evaluated using an eligibility criteria and assigned one of four different potential monitoring tiers:

Tier I: California Department of Forestry and Fire Protection (CDF) Forest Practice Rules compliance monitoring.

Road inventory program.

Forensic monitoring as necessary.

Tier II: CDF Forest Practice Rules compliance monitoring.

Road inventory program.

Forensic monitoring as necessary.

Visual and photo monitoring of harvest infrastructure.

Tier III: CDF Forest Practice Rules compliance monitoring.

Road inventory program.

Forensic monitoring as necessary.

Visual and photo monitoring of harvest infrastructure.

Water Column monitoring.

Tier IV: Not eligible for General Waiver.

Must receive coverage via an Individual Waiver or Waste Discharge Requirements (WDR), after approval by the Water Board.

In July 2005, when the Regional Board adopted the General Waiver, the Water Board requested the following be included in the conditions of the General Waiver: "Tier III monitoring is required if

ground based equipment is used off of an all weather road during the period October 15 to May 1. Tier III monitoring is required for the next 24 months (until July 31, 2007¹) for all THPs or NTMPs that fall into Tier II or III." Based on this requirement, all plans that propose winter operations receive Tier III monitoring requirements. In some cases, a plan is originally ranked as Tier I or Tier II through the eligibility criteria, but is enrolled in Tier III due to proposal of a winter operations plan. Currently, the enrollment process has no option for reverting to the original tier in instances when the winter operations plan is not implemented. To date, all plans that retain the option to harvest during the winter remain enrolled at the Tier III monitoring level.

Staff proposes the following for all THPs enrolled under the General Waiver. Any THP originally ranked as Tier I, and after July 31, 2007¹, ranked as Tier II, and enrolled in Tier III due to proposal of a winter operations plan, will have the option to revert to the original tier level ranking provided that the following conditions are met: 1) Harvest operations are complete; 2) At no time during the period October 15 to May 1 were ground based equipment used off of an all weather road; 3) The discharger submits a request in writing verifying that conditions 1 and 2 are met and requests to revert to the original tier

¹ Per request of the Water Board, for the first 24 months of the General Waiver, all plans ranked at Tier II automatically receive a Tier III MRP. This provides additional water quality monitoring data to further characterize relative impacts of timber harvest operations in the Central Coast Region. This condition applies regardless of the presence of a proposed winter operations plan. Therefore, downgrading of a plan to Tier II if winter operations are not conducted will not be applicable to such plans until after July 31, 2007.

level; 4) The request is submitted by November 15. The discharger must conduct Tier III monitoring at the onset of timber harvest activities and continue Tier III monitoring until they receive a letter signed by the Executive Officer approving the request to revert to a lower monitoring tier.

Dischargers may not switch back and forth between tiers over different monitoring seasons as this will create a complicated tracking process producing non-meaningful data. Therefore, the same process will not apply to NTMPs. Since NTMPs involve multiple entries over several harvesting seasons, they will be evaluated on a case-by-case basis.

The Extended Length Of Time To Enroll Plans Under The General Waiver.

Foresters expressed concern that the length of time to enroll a plan under the General Waiver is too long and is placing an unnecessary burden on landowners. To reduce this burden, Water Board staff proposes the following: Applications for enrollment will be accepted upon the close of the California Department of Forestry (CDF) public comment period. Formerly, applications were only accepted upon approval of the plan by CDF. Accepting the applications earlier in the process will provide an extra ten days of lead-time. Water Board staff will be able to verify the date of the close of public comments via the Internet. CDF's website, which is updated daily, includes a "Timber Harvesting Status Table" which lists critical information on each plan seeking approval from CDF, including the date public comment is

closed. http://www.fire.ca.gov/php/rsrc-mgt_forestpractice_thpstatus.php

Although applications will be accepted at the close of public comments, several conditions will apply during the enrollment process. Final enrollment under the General Waiver is dependent upon final approval of the THP or NTMP by CDF. The discharger requesting enrollment shall submit a "green sheet" to verify CDF's final approval. Once a plan is closed for public comments and before the plan is approved by CDF, a plan may be re-opened for public comments. This action could require changes to the conditions of the MRP. In instances where a plan is re-opened for public comments, Water Board staff will stop review of an application and the application may not be resubmitted until the second comment period closes.

Water Board staff will continue to balance priorities to accommodate the workload associated with the Timber Harvest Program. Therefore, just prior to and during the timber harvest season, processing applications for enrollment will be a priority and processing time should be quicker. Just prior to and during the winter season, when timber harvesting is not permitted, Water Board staff will focus priorities on other essential Timber Harvest Program tasks (such as wet weather inspections) and processing time may be extended.

CLEANUP REPORTS

Underground Tanks Summary Report dated July 28, 2006 [Burton Chadwick 805/542-4786]

[See Attachment F]

ADMINISTRATIVE REPORTS

Information Technology Update [Roger Briggs 805/549-3140]

The statewide document imaging and e-filing pilot project is underway. The purpose of the pilot is to change the method/process of receiving documents and distributing the work, along with standardizing how these documents are stored for future use.

The specific project goals include:

- ✓ Standardizing the classification and indexing scheme across regions
- ✓ Improved response to walk-in requests for information
- ✓ Improved response to correspondence requiring document reference
- ✓ Availability of documents to all system users within two days of when they are received (higher priority documents are to be made available sooner)
- ✓ Reduction or elimination of lost or misfiled documents
- ✓ Reduction or elimination of paper "work-in-process" folders
- ✓ Establish tracking and accountability for all documents received
- ✓ Provide automated document routing to improve document processing
- ✓ Improve flow of work
- ✓ Reduce hardcopy printing
- ✓ Provide multi-user access of the same documents
- ✓ Reduce time to enter documents into the system
- ✓ Improve document backup procedures
- ✓ Improve security
- ✓ Improve disaster recovery procedures
- ✓ Enable parallel review & processing of electronic documents

- ✓ Ability to escalate and manage electronic work "folders"
- Pilot implementation will begin with Region 9, San Diego. The current rollout plan envisions thoroughly pilot testing the system at Region 9 first, conducting an evaluation, and then proceeding to the State Board contracts unit, our Region, and then the San Francisco Bay Region. The idea is to continue to refine the system based on lessons learned as we proceed with rolling out to each pilot location.
- The core pilot implementation team includes:
 - Clark Emch, Project Manager, DAS
 - Delilah Almanza, Contract Manager, DAS
 - Bob Blatt, Consultant, EID
 - Nancy Miller, OIT Representative (tentative until vacancy filled)
 - Devender Narala, Representative Region 2
 - Howard Kolb, Representative Region 3
 - David Barker, Representative Region 9
 - DiAnne Broussard, Representative Region 9
 - Contracts Office Representative to be determined

Speaking of e-documents, we continue to increase implementation of CIWQS. The California Integrated Water Quality System is a new data management program for the State and Regional Water Quality Control Boards to track information about places of environmental interest, manage permits and other orders, track inspections, and

manage violations and enforcement activities. CIWQS also includes an electronic Self Monitoring Report (eSMR) tool for submission of monitoring reports via an internet web site. CIWQS is part of an overall effort to integrate several disparate legacy systems, compile water quality data, standardize permits, automate processes, and to make data more accessible to State Water Board staff, dischargers, the public, and the U.S. Environmental Protection Agency.

Initially, CIWQS will focus on supporting the National Pollutant Discharge Elimination System (NPDES) program and its requirements to submit monitoring reports. We have 45 individual NPDES permits, although several of them are not eligible for e-submittals of eSMRs. We have about a third of our eligible permittees submitting eSMRs into CIWQS. By the end of the calendar year, we should have about double that amount on board with e-data submittals. We have been asked for, and have been providing, statewide assistance in this regard, since most regions are not this far along with CIWQS use. Our primary staffer on this project is Sandy Cheek, and she has not only been doing a great job representing our region, but she has been invaluable to the overall program on a statewide basis.

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

On July 11, 2006 several Water Board staff and students attended Defensive Driver Classroom training. All Water

Board staff members are required to attend this training every four years.

On July 13, 2006, Water Board staff, students, and volunteers attended the annual, mandatory Sexual Harassment Prevention Training Class conducted by the State Water Resources Control Board.

Environmental Scientist, David Innis (Storm water), attended the Joint Local Enforcement Agencies (LEA) and the California Integrated Waste Management Board (CIWMB) Annual Partnership Conference in Monterey on August 1, 2006. The title of the session was *Navigating the Seas of Illegal Dumping: Enforcement and Abatement Strategies*. Mr. Innis attended the Conference to learn about measures different agencies are using to stem illegal disposal of solid and liquid wastes. The session highlighted varied approaches to combat illegal dumping with case histories from Orange County District Attorney's Office, City of Fresno Code Enforcement Division, Los Angeles City Bureau of Street Services Investigation and Enforcement Division, Monterey County Environmental Health, and a statewide review from the Illegal Dumping Task Force. The session also provided an opportunity to meet with vendors and agency representatives to learn more of ongoing work to curb illegal dumping and make valuable contacts for enforcement actions in our Region. The Conference also provided an opportunity to meet with Jeff Hackett, CIWMB San Francisco, who is also pursuing enforcement of illegal inert waste disposal at a local property in San Luis Obispo.

ATTACHMENTS

- A. Storm Water Management Plan Adoption Status
- B. Correspondence by email between Ms. Clark and Central Coast Water Board staff
- C. March 30, 2006 letter from Central Coast Water Board staff to Ms. Clark
- D. June 20, 2006 letter from Central Coast Water Board staff to Ms. Clark
- E. Resolution by the California State Lands Commission Regarding Once-Through Cooling in California Power Plants
- F. Underground Tanks Summary Report dated July 28, 2006

H:/ALLMYDOCS/EO Report/EOrptSEP06/carol