

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

STAFF REPORT FOR REGULAR MEETING OF JULY 8, 2010

Prepared on June 14, 2010

ITEM NUMBER: 15

SUBJECT: Executive Officer's Report to the Board

This item presents a brief discussion of issues that may interest the Board. Upon request, staff can provide more detailed information about any particular item.

WATER QUALITY CERTIFICATIONS

[Kim Sanders 805/542-4771]

In general, staff recommends "Standard Certification" when the applicant proposes adequate mitigation. Measures included in the application must ensure 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, 2010 to May 31, 2010.

WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED FROM APRIL 1, 2010 THROUGH MAY 31, 2010

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage¹	Status of Application
PG&E	70 kV Power Line Reconductoring Project	The project is needed to improve transmission reliability, replace aging structures, and provide sufficient peak period transmission voltage for Atascadero, and other San Luis Obispo County areas.	Atascadero	San Luis Obispo		0.01321	Applicant Withdrew
Anthony Brown--Atlantic Richfield Company	Dos Pueblos Pipeline Removal Project	Removal of de-commissioned oil pipelines segments crossing Tecolote Creek and Eagle Canyon Creek.	Goleta	Santa Barbara	Tecolote Creek and Eagle Canyon Creek	0.008	Certified May 4, 2010
Karen Ramsdell Airport Director	Basin E/F Tidal Restoration Project	Improve habitat quality, reduce aircraft/bird strike hazard, and satisfy mitigation obligation	Santa Barbara	Santa Barbara	Goleta Slough	9.3	Completeness Pending
Patty Forbes DFG	2010 Fisheries Restoration Grant Program	The proposed activities are designed to restore salmon and steelhead habitat with the goal of increasing populations of wild anadromous fish in coastal streams and watersheds. Habitat restoration activities and practices, covered in more detail below, include fish passage projects,	Various	Various	Various	81.836	Under Staff Review

¹ Total Acreage includes both temporary and permanent impacts to riparian, streambed, and/or wetland environments within federal jurisdiction.

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage ¹	Status of Application
		bank stabilization treatments, road decommissioning or upgrade, and replacement or modification of culverts that are barriers to fish passage.					
City of Santa Barbara Waterfront Department	Launch Ramp Repair Project	To replace, in-kind, concrete sections of the Harbor Launch Ramp. Additional dock for sailing purposes	Santa Barbara	Santa Barbara	Pacific Ocean	0.23	Under Staff Review
Norman Green -- City of Monterey	Raised Pedestrian Walkway at Hartnell Gluch	The purpose is to provide safe pedestrian access from Hartnell Street to Uptown Monterey	Monterey	Monterey	Hartnell Gluch	0.04	Under Staff Review
Pete Pearson	Pearson Property Gully Stabilization	The project includes the repair and stabilization of an eroded gully that originates at a culvert on Benedict Avenue and extends downstream for approximately 535 linear feet	Soquel	Santa Cruz	Arana Creek	1.2	Completeness Pending
Russ Goodman -- Sares-Regis Group for Santa Barbara Realty Development, LLC	Cabrillo Business Park	Development of a modern business park through redevelopment and construction of new commercial buildings and associated facilities and services featuring a central open space preserve area.	Goleta	Santa Barbara	Tecolotito Creek – Goleta Slough/Estuary	0.94	Completeness Pending

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage ¹	Status of Application
Dave Flynn -- County San Luis Obispo	CSA-23 Access Road Enhancement Project	Implement road improvements to enhance safety of road for servicing and maintaining water resources in the community of Santa Margarita	Santa Margarita	San Luis Obispo	Blue-line Swale and Santa Margarita Creek	0.0034	Completeness Pending
Jim Mueller -- San Lorenzo Water District	San Lorenzo Valley Water District Campus Center	Proposing the campus development project to consolidate its operations to one common facility to improve function and efficiency	Boulder Creek	Santa Cruz	San Lorenzo River	0.36	Completeness Pending
Kerry Diminyatz - - CA Army National Guard	Camp Robert Well C-5A and Waterline Project	Project proposes to improve the quality of potable water available at Camp Roberts through the installation of new water well and waterline and its attachment to the existing water infrastructure.	Camp Roberts	San Luis Obispo	Nacimiento River	0.129	Completeness Pending

REGIONAL REPORTS

Regional Monitoring [Karen Worcester 805/549-3333]

SWAMP Study Findings on Lake Contamination

The Surface Water Ambient Monitoring Program (SWAMP) is the State Water Resource Control Board's ambient monitoring program, and is the primary source of annual contract funding for our own Central Coast Ambient Monitoring Program (CCAMP). SWAMP recently released the findings from a two year screening survey on fish tissue contamination in California lakes. The study found elevated levels of mercury in 21% of lakes statewide, including five in the Central Coast Region. In addition, it found one lake in our Region, Little Oso Flaco Lake, to have the highest levels of two pesticides, DDT and dieldrin, in the State. These were also higher than any levels found in a recent national lake survey conducted by U.S. EPA.

Data for the study were collected in 2007 and 2008. The study evaluated fish for methyl mercury, PCBs, DDTs, dieldrin, chlordanes, and selenium. Two hundred seventy-two lakes were sampled for a variety of fish. Twelve lakes were sampled in the Central Coast Region. These included Jameson Lake and Lake Cachuma in Santa Barbara County; Little Oso Flaco Lake, Lopez Lake, Nacimiento Lake and Santa Margarita Lake in San Luis Obispo County; San Antonio Lake in southern Monterey County; Hernandez Reservoir in San Benito County; Chesbro and Uvas reservoirs in southern Santa Clara County; and Loch Lomond and Pinto Lake in Santa Cruz County.

The study design called for sampling a long-lived predator fish (like largemouth bass) and a bottom-feeding fish (like carp, goldfish, or catfish), but other species were also sampled as available. Predators are more likely to accumulate mercury, and fatty bottom-feeders tend to bioaccumulate organic chemicals. Though not all species sampled are typically considered food for humans, tissue concentration levels in all species were compared to several levels set to protect human health by the Office of Environmental Health Hazard Assessment (OEHHA). The following tissue guideline values were used to evaluate data: 1) Fish Contaminant Goals (FCGs) are tissue levels below which fish can be safely eaten over the course of a lifetime at a rate of one meal per week and a cancer risk of one in one million; 2) Advisory Tissue Levels (ATLs) are typically higher in concentration because they also recognize the health benefits of eating fish, and so allow for a higher risk level. These rates represent a cancer risk of one in 10,000. There are three ATL levels - "three meals a week", the concentration at which OEHHA recommends that no more than three meals of the fish be consumed per week over the course of a lifetime; "two meals a week", the concentration at which OEHHA recommends that no more than two meals of the fish be consumed per week over the course of a lifetime; and the "no consumption" level, the concentration at which OEHHA recommends no consumption of fish. For methyl mercury, FCGs and ATLs for the most sensitive components of the population were used, which include women of reproductive age and children.

Organochlorine Pesticides – Little Oso Flaco Lake was the only lake in this study that exceeded any "no consumption" levels for organochlorine pesticides, and was described in the report as "highly unusual". The two composite goldfish samples from Little Oso Flaco Lake were very high in dieldrin and DDT concentrations, both legacy pesticides that have been banned from most uses since the 1970s. Dieldrin concentrations were approximately 276 parts per billion (ppb) in both samples; the OEHHA "no consumption" level is 46 ppb. Total DDT concentrations were over 7000 ppb in both samples; the OEHHA "no consumption" level is 2100

ppb. Pinto Lake in Watsonville exceeded the “two meals per week” ATL for DDT, with one sample as high as 557 ppb. However, DDT levels from fish samples at Pinto Lake were far lower than those seen at Little Oso Flaco Lake.

Goldfish are bottom feeders and were sampled because they are a species likely to be exposed to relatively high levels of chemical contamination, should it exist, through their food source. Hitch are planktonic feeders. Dieldrin concentration in the hitch sample was 157.6 ppb – still over the “no consumption” value but far lower than in goldfish. DDT levels in hitch did not exceed any guideline values, though a hitch sample taken from the lake in 2001 exceeded the Fish Contamination Goal.

Water Board staff met in early June with State Parks and County Environmental Health staff to discuss the data and the development of a fact sheet for distribution at Little Oso Flaco Lake, to warn the public of health risks. Water Board staff will prepare this fact sheet. Also, we have directed SWAMP laboratories to analyze archived largemouth bass samples, collected but not analyzed during the study, for organochlorine pesticides. That analysis should be available by the end of July and will give us information on the species most likely to be used by humans as food. Finally, we plan to conduct additional sampling in Fiscal Year 2010-11 to verify the problem, in coordination with OEHHA, so that they have sufficient information to issue a formal health advisory if the data supports it. The lake has been listed as “impaired” by dieldrin on the 303(d) List of Impaired Waters.

Mercury – The methyl mercury “no consumption” level was exceeded in several lakes in the Central Coast Region, and we will undertake additional follow-up and notification at all of these lakes. These include Uvas and Chesbro Reservoirs, Hernandez Lake, Nacimiento Lake, and Lake Cachuma. Chesbro Reservoir and Nacimiento Lake both had species average concentrations over 1 ppb, which is over twice the “no consumption” threshold. Both Hernandez and Nacimiento lakes already have known mercury contamination issues from past mining activities in their watersheds, and are on the 303(d) List of Impaired Waters. Nacimiento Lake already has an OEHHA health advisory in place. Also, Lake San Antonio exceeded the State’s 303(d) listing guideline value, which is lower than the “no consumption” level, but sufficiently elevated to cause a 303(d) listing.

We will be sending a data summary and notification of findings to the appropriate local agency representatives for each of these lakes, so that they can take appropriate steps to notify the public. We will also pursue follow-up sampling to verify the problem, in coordination with OEHHA, so that they have sufficient information to issue a formal health advisory if the data support it.

Polychlorinated Biphenols (PCBs) - PCBs were elevated over the “two servings per week” ATL but below the “no consumption” threshold in fish collected from two lakes in the Region, Little Oso Flaco Lake and Chesbro Reservoir. Though this is not a high priority for follow-up, PCBs will be included in follow-up sampling already planned at these two reservoirs for organochlorine pesticides and mercury, respectively.

Other Statewide Findings – The most important finding of the study at a statewide level is the relatively high proportion of lakes throughout the state that support fish with elevated mercury levels. Twenty-one percent of the 272 lakes studied had methyl mercury levels in at least one species of fish that exceeded the OEHHA “no consumption” limit for children and for women of reproductive age. Sixty-eight percent of all lakes exceeded the “3 servings per week” ATL. The largest percentage of high mercury lakes were lower elevation lakes in northern California.

Though much of the mercury contamination has its origins in mining activities and related geology, aerial deposition may also be a background source.

Thirty-three percent of all lakes exceeded the Fish Contaminant Goal for PCBs, but only 1.1% exceeded the “no consumption” ATL. Contamination from PCBs was most prevalent in lower elevation lakes, particularly in the highly urbanized Bay Area and in southern California.

In the study, the cleanest lakes overall were the high elevation northern California trout lakes.

The SWAMP Lakes report can be downloaded at:

http://www.waterboards.ca.gov/water_issues/programs/swamp/lakes_study.shtml

LOS OSOS WASTEWATER PROJECT

Los Osos Wastewater Project Update [Dave LaCaro 805/549-3892]

The California Coastal Commission adopted a coastal development permit for the Los Osos Wastewater Project on June 11, 2010. This completes the county permitting process for the project. According to the April 27, 2010 county staff update on the project, the next issues the county needs to consider include:

1. Availability of project financing (State Revolving Fund low interest loans and USDA grant funding)
2. An ordinance that allows the establishment of wastewater rates and charges
3. Obtaining draft waste discharge requirements from the Central Coast Water Board
4. A second assessment process for the undeveloped/vacant lots in Los Osos
5. The Notice of Intent to Proceed with the construction of the wastewater project as specified in the special legislation providing authority for the county to take the project on

County staff explained that these issues will likely return to the Board of Supervisors for discussion and action in late July 2010.

Water Board staff is currently coordinating with county staff to develop waste discharge requirements for the wastewater project. This effort includes the finalization of the county's Facility Master Plan and a report of waste discharge application. Water Board staff has not yet received a Facility Master Plan or an application, but anticipates receiving these documents after the July Board of Supervisors meeting.

ADMINISTRATIVE REPORTS

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

Don Eley, an Engineering Geologist in the Department of Defense Program, attended Battelle's 7th International Conference on Remediation of Chlorinated and Recalcitrant Compounds in Monterey in May 2010. The conference focused on the innovative application of existing or new technologies and approaches to address the challenges of characterization, treatment, and monitoring of chlorinated and other recalcitrant compounds in various environmental media. At a future section meeting, Don will share his knowledge with his Groundwater Section colleagues here at the Water Board.

Several staff members attended a training given by Gene Crumley on May 25, 2010. The training focused on discovering individual talents, and focusing on developing strengths within those talents (as opposed to putting too much energy into trying to improve areas that are away from our strengths).

Budget Status [Roger Briggs 805/549-3140]

As usual, the legislature missed its annual budgetary action deadline. Under the Governor's proposal, our staff pay will be cut slightly more than the current fiscal year cuts and staff will be working two more days per month. We don't know yet what will happen with our staff schedule and office hours after July 1, when the new fiscal year will start but we will not have an approved budget.

Board Outreach [Roger Briggs 805/549-3140]

Chair Jeff Young and Executive Officer Briggs met with the Santa Barbara Urban Creeks Council last month, and presented a lot of information about what the Water Board does, with particular emphasis on those areas of most interest to the council. We also learned more about the work of the council, which focuses on the whole watershed's effects on creeks – very compatible with our framework of considering the effects of all land uses within our watersheds. We have received a letter of thanks from the Council.