

Central Coast Regional Water Quality Control Board

MINUTES

Central Coast Regional Water Board

REGULAR/OFFSITE MEETING

Wednesday, July 11, 2012

REGULAR MEETING

Thursday, July 12, 2012

Chairman Young called the meeting of the Central Coast Water Board to order at 1:00 p.m. on Wednesday, July 11, 2012, Watsonville Wetlands Watch Center, 500 Harkins Slough Road, Watsonville, California.

1. Roll Call – Board Members.....Roger Briggs, Executive Officer

Present:

Chairman Jeffrey Young
Vice Chair, Russell Jeffries
Bruce Delgado
Monica Hunter
Mike Johnston
Mike Jordan
Jean-Pierre Wolff

Absent:

None

2. Introductions..... Roger Briggs, Executive Officer
Mr. Briggs introduced Steven Moore, State Water Resources Control Board Liaison. Also present was State Water Resources Control Board Counsel Jessica Jahr, guest Kirk Schmidt, and several Central Coast Water Board staff.

3. Offsite Meeting Staff Report..... Roger Briggs, Executive Officer
Roger Briggs, Executive Officer, presented basic information on the characteristics of the Central Coast Region, presented the Water Board's top water quality priorities, and briefly discussed why these priorities were established by the Board and staff. Board members discussed the water quality priorities and the following additional topics:

1. The importance of education, outreach, and collaboration in achieving results, and that these approaches should also be a priority. The Board also discussed the interests of other stakeholders.
2. The ongoing controversy over the Ag Order and the need to communicate well with dischargers and the public to minimize controversy as much as possible.

3. The need to establish the Technical Advisory Committee for the Ag Order to help develop water quality projects.
4. The need to prevent degradation of water resources and habitat before it occurs, rather than trying to restore degradation after it occurs, as defined by the Board's mission and the law.

John Robertson, Section Manager, presented more specific prioritization criteria for cleanup projects and described how the criteria are applied on a daily basis to focus staff's efforts on the highest priority work. Mr. Robertson also briefly discussed the importance of measuring performance on staff's highest priority work, and this topic will be covered at a later Board meeting and will be an ongoing discussion.

Thursday, July 12, 2012

Chairman Young called the meeting of the Central Coast Water Board to order at 8:30 a.m. on Thursday, July 12, 2012, Watsonville City Council Chambers, 275 Main Street, 4th Floor, Watsonville, California.

1. Roll Call – Board Members.....Michael Thomas, Assistant Executive Officer

Present:

Chairman Jeffrey Young
Vice Chair, Russell Jeffries
Bruce Delgado
Monica Hunter
Mike Johnston
Mike Jordan
Jean-Pierre Wolff

Absent:

2. Introductions and Staff Recognition..... Roger Briggs, Executive Officer
Mr. Briggs introduced State Water Resources Control Board Counsel Jessica Jahr and State Water Resources Control Board Liaisons Steven Moore and Frances Spivey-Weber.

Mr. Briggs asked parties interested in speaking on agenda items to complete testimony cards and return them to Water Board staff. He also noted there was a supplemental sheet for Item 12, Timber Harvest Program, Conditional Waiver of Waste discharge Requirements.

Chair Young announced that Executive Officer Roger Briggs will retire as of August 1, 2012, after 37+ years with Central Coast Regional Water Quality Control. Mr. Young read a Resolution of Appreciation that detailed Mr. Briggs' extraordinary career and his commitment to water quality.

Board members spoke on Mr. Briggs' ability to assist Board in understanding the issues at hand and what the resolution to those issues could be, which often helped the Board in making its final decision. They also expressed appreciation for Mr. Briggs' management style and how it is reflected in Water Board staff's preparedness, knowledge, and insight when presenting to the Board.

Water Board staff attributed the organization's ability to take action on the most important water quality issues on the Central Coast to Roger Briggs' leadership. Under Roger's leadership the Central Coast Water Board has become a more performance based organization focused on real results. His confidence and courage allow staff to take on the biggest and most significant issues in our region and to act on them. Staff expressed great appreciation for Roger's courage, his ethics, and his integrity.

3. Report by State Water Resources Control Board Liaison. Roger Briggs, Executive Officer State Board Member Steven Moore acknowledged the contributions of Executive Officer Roger Briggs and thanked him for his service. Mr. Moore introduced himself as the State Board's new liaison to the Central Coast Water Board and provided background information and a brief update on several topics, including the continuing fiscal crisis and the limitations on the Board's programs and staffing, Prop 50 funding and Areas of Special Biological Significance monitoring, the status of general stormwater permit renewals, Surface Water Ambient Monitoring Program (SWAMP) data regarding contamination in coastal fish species, the UC Davis report on nitrate contamination in groundwater, Assembly Bill 2222 report on communities whose drinking water is contaminated, status of the State Board's Desalination Policy, Assembly Bill 2398 regarding recycled water, and changes to Porter Cologne regarding Regional Boards (change from nine to seven Board members, appointment categories replaced with more general descriptions, 10% rule regarding income related to NPDES permits relaxed).

State Board Member Fran Spivey-Weber mentioned the Water Quality Coordinating Committee meeting on November 1-2, 2012, and encouraged the Board members to attend, and thanked Roger Briggs for his service and encouraged the Board to find a replacement with a similar demeanor and broad experience.

Dr. Hunter thanked the State Board for holding the May 2012 workshop on nitrate in drinking water and encouraged the Water Boards to collaborate and take action to address the problem.

4. Approval of March 14-15, 2012 Meeting MinutesBoard Motion

MOTION: Russell Jeffries moved to approve the March 14-15, 2012 meeting minutes.

SECOND: Bruce Delgado

CARRIED: (7-0) Unanimously

5. Approval of April 23, 2012 Meeting Minutes.....Board Motion

MOTION: Russell Jeffries moved to approve the April 23, 2012 meeting minutes.

SECOND: Bruce Delgado

CARRIED: (7-0) Unanimously

6. Approval of May 3-4, 2012 Meeting Minutes.....Board Motion

MOTION: Russell Jeffries moved to approve the May 3-4, 2012 meeting minutes.

SECOND: Bruce Delgado

CARRIED: (7-0) Unanimously

7. Uncontested Items CalendarBoard Motion

There were no uncontested items on this meeting agenda.

8. Low Threat and General Discharge Cases Information/Discussion
Roger Briggs introduced the item and asked if the Board had any questions. Dr. Wolff asked why Redwood Ridge Estate, a 100-case winery, is being issued a Waste Discharge Requirement (WDR). Mr. Briggs explained this is a General Order, so it is a matter of signing up for coverage, it's nothing like an individual order and does not require the same application process.

9. Staff Closures Board Information
Mr. Briggs introduced the item and explained it is an information item on sites that have met groundwater objectives and have been closed by staff. He noted a correction to the Staff Report on page 1, on the lower right-hand corner of the table it states there are five case closures to date; however, the correct number is six.

10. Recommended Closures Board Information
Mr. Briggs explained the cases recommended for closure have been remediated and although they do not meet the groundwater quality objectives outright, they are viewed as low risk cases and will be closed by staff unless otherwise directed by the Board. The Board voiced no objection to the recommended closures.

11. Enforcement Report Status Report
Executive Officer Roger Brigg's introduced the item. Board member Dr. Wolff mentioned that there are several spills resulting from equipment failure and emphasized the importance of maintaining equipment to meet industry standards. Roger Briggs acknowledged the issue and agreed, and acknowledged Dr. Wolff's assistance in updating the Standard Provisions for NPDES permits. Board member Michael Johnston asked about the relationship between Bullet Ranch and San Jerardo, and Enforcement Coordinator Harvey Packard explained that staff is investigating ranches near San Jerardo to determine nitrate loading in the area. Board member Bruce Delgado asked about violation listings for San Jerardo, and Mr. Packard explained that there can be a time difference between violations and when an Enforcement Report is written. Chairman Jeff Young asked about the number of violations for the City of Santa Barbara, and Mr. Packard explained that sometimes a single operational problem at a biological wastewater treatment plant can result in several violations, but the violations are often not significant. Dr. Wolff asked about repeat violations and if staff considers cumulative effects, and Mr. Packard explained that staff does consider the repetitive nature of violations that may indicate a serious, chronic problem. Board member Dr. Hunter asked if the Board had requirements for the California Men's Colony to update their facility, and Mr. Packard said the upgrade is designed and funded and will start in 2012. Dr. Hunter also asked about listing staff's intended actions on the violations and their relative priority, and Mr. Packard said staff would consider how to make that change. Board member Michael Jordan also asked staff to consider if the report could also list how many violations of what type have occurred, and Mr. Packard agreed to look into making that change.

12. Conditional Waiver of Waste Discharge Requirements Board Motion
Mr. Briggs introduced the item. Michael Higgins, Water Resource Control Engineer, gave a brief overview of the Timber Harvest Program in the Central Coast Region, including the harvest plan approval process and existing monitoring and reporting program requirements. Mr. Higgins and Mr. Nick Kunz described the results of Water Board staff inspections. Mr. Higgins described proposed changes to the Monitoring and Reporting Program, Eligibility Criteria, and public comments received, as described in the staff report and supplemental sheet prepared for this item.

Chair Jeff Young, Dr. Monica Hunter, and Bruce Delgado had questions regarding inspection violations and other agency roles. Michael Johnston and Mr. Delgado had questions regarding four vs. five year monitoring periods. Dr. Wolff asked about sustainable practices.

Members of the public provided the board with comments on the proposed timber order. Speakers and comments included:

- Jodi Frediani, representing Central Coast Forest Watch, and Kevin Collins, representing the Lompico Conservation District, requested the Board to direct staff to attend all pre-harvest inspections. Mr. Collins also had specific comments related to the monitoring requirements.
- Registered Professional Foresters (RPFs): Bob Berlage, Nadia Hamby, and Colin Noyes, all representing Big Creek Lumber; David von Lennup, representing Redwood Empire Sawmills; Joseph Culver; Michael Duffy; Bill Vaughan; and Brian Deitrich, Cal Poly Swanton Ranch, provided comments and suggested clarifications for the draft order monitoring and reporting requirements.
- Landowners: Catherine Moore, Eric Moore, Marty McCormick, Johnson Boothby, and Ron DeBenedetti provided comments that photo-monitoring requirement was too stringent.
- Drew Fenton recommended that the State Board run the timber program. Steve Shimek, representing the Otter Project and CoastKeeper, recommended that the Board direct staff to participate in pre-harvest inspections.

Mr. Delgado had questions regarding inspections and CalFIRE agency duplicate regulation. Mr. Rich Sampson, representing CalFIRE, described CalFIRE's timber harvest plan approval process and how they work with all the agencies.

Chair Young requested Water Board staff: 1) meet with the RPFs regarding selection of photo-monitoring points; 2) conditionally approve plans prior to CalFire's approval; and 3) attend several pre-harvest inspections per year. Chair Young also asked Water Board staff to provide an update in February 2013, which should include: 1) review pre- vs. post-harvest inspection results; 2) evaluate a methodology to reduce monitoring; and 3) evaluate winter operations with respect to tier higher tier.

MOTION: Russell Jeffries moved the order be approved as proposed.

Chair Young and Mr. Jordan interjected that the monitoring requirement change would be evaluated again at a later date.

MOTION: Russell Jeffries amended his motion with the clarification that the monitoring requirement change would be evaluated again at a later date.

SECOND: Monica Hunter

CARRIED: (7-0) Unanimously

13. Status Report on Once-Through Cooling and Desalination PermittingStatus Report Executive Officer Roger Briggs introduced the item. Dr. Peter von Langen, Engineering Geologist, gave a brief description of the staff report informational item. Dr. Carol Reeb gave a short presentation showing where some desalination facilities are located in Monterey Bay and where other facilities are proposed by 2030. Dr. Reeb described the effects of algal blooms on

desalination facilities. Dr. Reeb also presented a study showing the effects of a brine discharge over several days, which can result in hypoxia or death of marine animals.

Board members Dr. Wolff and Mr. Jeffries asked several questions about seawater dilution and Mr. Delgado had questions on the brine chemistry and other brine disposal methods. Dr. Pete Ramondi, who is on Expert Review Panel, agreed with Dr. Reeb's statements, and said the size of desalination plants is an issue for seawater dilution.

Mr. Jeffries asked questions about the proposed Deep Water Desalination project in Moss Landing, including if studies have identified larval concentrations at different depths. Dr. Ramondi stated that Deep Water Desalination hired a consultant to evaluate this question and we should have that information soon. Dr. Ramondi said that the major issue with desalination is to identify and mitigate impacts.

Mr. Johnston asked about entrainment from pumping seawater. Dr. Ramondi said that there's a 100% assumption for through-plant mortality of all larvae. Dr. Wolff said that newer technologies such as new pumps on the horizon could help with survival.

Ms. Kathy Jones with PG&E answered Board member questions related to Diablo Canyon Power Plant's proposed compliance schedule to conform to the OTC policy by 2024.

14. Public ForumBoard Direction
Mr. Kevin Collins expressed concern that the City of Santa Cruz is not effectively implementing its riparian protection ordinance and the importance of the issue as it relates to the Water Board's programs such as the TMDLs. Mr. Collins submitted a letter describing the problem.

15. Reports by Regional Board Members.....Information/Discussion
Chair Young introduced the item and requested that Dr. Monica Hunter provide an update on the groundwater committee she is participating with on the Board's behalf. Dr. Hunter summarized that the committee is currently in the process of developing recommendations to the legislature that responds to SB X2-1 Harter Report on nitrate contamination. Although the study was for Tulare and Salinas groundwater basins, the intent of the group is to develop statewide recommendations.

16. Executive Officer's ReportInformation/Discussion
Executive Officer Roger Briggs introduced the item and summarized the Water Board organizational information technology structure which includes many complex database programs. Mr. Briggs also summarized staff's implementation of the Ag Order (enrollment, Technical Advisory Committee, extension of due dates, annual compliance form). The Board directed staff to prioritize the formation of the Technical Advisory Committee. Mr. Briggs also summarized regional monitoring projects, ongoing budget issues and staff cuts and the increasing challenges to the Board and staff. Mr. Briggs and Assistant Executive Officer Michael Thomas emphasized that staff will be making increasingly difficult decisions about priorities and what we can and cannot do moving forward. Mr. Briggs also expressed gratitude to the Board and his appreciation for working with the organization during his career. The Board again voiced their appreciation for Mr. Briggs' dedicated service.

Chairman Young adjourned the meeting at approximately 5:20 p.m. The next regular Board meeting will be held on September 6, 2012 in San Luis Obispo, California.

This meeting was audio recorded; the minutes were reviewed by management and will be approved by the Board at the September 6, 2012 meeting in San Luis Obispo, CA.

Jeffrey Young, Chair

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