



Dan Skopec  
Acting Secretary

# California Regional Water Quality Control Board Central Coast Region



Arnold Schwarzenegger  
Governor

Internet Address: <http://www.waterboards.ca.gov/centralcoast>  
895 Aerovista Place – Suite 101, San Luis Obispo, CA 93401-7906  
Phone: (805) 549-3147 ♦ FAX: (805) 543-0397

## MINUTES OF REGULAR MEETING Friday, March 24, 2006 Central Coast Water Board

Chairman Jeffrey Young called the meeting of the Central Coast Water Board to order at 10:00 a.m. on March 24, 2006, at the Central Coast Water Board Conference Room, 895 Aerovista Place, Suite 101, San Luis Obispo, California.

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

**Board Members Present:**

Chairman Jeffrey Young  
Vice-Chair Russell Jeffries  
Leslie Bowker  
John Hayashi  
Monica Hunter  
Gary Shallcross

**Absent:**

Daniel Press

2. Introductions ..... Executive Officer Roger Briggs

Executive Officer Roger Briggs introduced staff and asked all interested parties who wished to comment to fill out testimony cards and submit them. Item #9/Morro Bay-Cayucos Wastewater Treatment Plant was removed from the March agenda to be addressed at the May Board meeting. The State Board Liaison, Jerry Secundy, was unable to attend the meeting today.

Staff supervisors introduced our new staff members, Cecile DeMartini, Rich Chandler, Allison Millhollen, David LaCaro, and Kim Sanders. Dean Thomas will be joining the Regional Board at the end of April. Mr. Briggs thanked the supervisors for their efforts on recruiting new staff. Item Nos. 3, 7, 8, and 13 had supplemental sheets.

3. Approval of February 9-10, 2006 Meeting Minutes..... Board Motion

**MOTION:** Russell Jeffries moved to approve the February 9-10, 2006 meeting minutes.

**SECOND:** Jeffrey Young

**CARRIED – Unanimously (6-0)**

4. Report by State Water Resources Control Board Liaison.....Status Report

No report at this time.

5. Uncontested Items Calendar ..... Board Motion

Agenda Item #16/State Revolving Fund was pulled off of the consent calendar. Item #8/Heritage Ranch had minor non-substantial changes that were corrected. The Board asked about Item #6/City of Gonzales, and if there was a reclamation project included in their

plans. Staff member Martin Fletcher noted that due to the City's size it is not feasible to do reclamation at this time. They will prepare a long-term wastewater management plan scheduled for 2008 in conjunction with their Phase II expansion.

**MOTION:** Russell Jeffries moved to approve the consent calendar.

**SECONDED:** Gary Shallcross

**CARRIED – Unanimously (6-0)**

7. Furtado Dairy ..... Order No. R3-2006-0016

Executive Officer Briggs introduced the item along with the supplemental sheet presenting missing attachments. Mr. Briggs questioned Matthew Keeling, Staff Engineer, regarding Mr. Furtado's contention of a wastewater pond lining specification in the proposed order. Mr. Keeling indicated that Mr. Furtado withdrew his opposition in response to a verbal explanation of the specification given to him the previous day. In addition, Board Counsel Lori Okun read a new finding (number 88) into the order for the record regarding the pond lining

specification. Mr. Keeling also indicated that Mr. Furtado stated his intent to attend the hearing, but that neither he nor his consultant appeared to be present at that time. Mr. Briggs discussed having Olin sample the water supply and monitoring wells at the dairy facility as part of the Olin perchlorate groundwater investigation.

Chairman Young and Board Members Jeffries, Shallcross, and Hunter expressed concerns regarding the disposal of pond sludge, Mr. Furtado's

history of non-compliance, ongoing staff oversight, if Mr. Furtado would be capable of staying in compliance with the proposed Order, and the age of the previous order.

Board Member Shallcross indicated there should be compliance deadlines to verify the pond lining requirements are met and asked staff to propose appropriate due dates. Mr. Briggs and Mr. Keeling agreed to revise the order to incorporate due dates for verification of the pond construction and modifications to the ponds if needed. Ms. Okun indicated that we could also issue a Water Code Section 13267 letter

requiring verification of the pond liner construction. Ms. Okun indicated that a second compliance deadline was not necessary because the pond construction requirement is already required in the proposed Order. Mr. Briggs stated that staff would issue a Water Code Section 13267 letter to Mr. Furtado requiring confirmation of the pond construction and leave the order as proposed. Mr. Briggs recommended that the proposed Order be adopted with the inclusion of the attachments provided in the supplemental sheet and new finding presented by Ms. Okun at the hearing.

**MOTION: Gary Shallcross moved to approve Order No. R3-2006-0016 to include attachments provided in the supplemental sheet and the finding presented by Counsel Lori Okun.**

**SECONDED: Les Bowker**

**CARRIED – Unanimously (6-0)**

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

Mr. Briggs listed the low threat categories, the individual cases and recommended action taken.

The Board had no questions or comments on this item.

**11. Perchlorate Cases.....Status Report**

The Board had no questions or comments on this item.

**12. Corrective Action Plan Approvals .....Status Reports**

The Board had no questions or comments on this item.

**13. Watsonville Slough Pathogen TMDL, Livestock Waste Discharge Prohibition, Removal of Shellfish Harvesting Beneficial Use** ..... Resolution No. R3-2006-0025

Staff member Dominic Roques, presented information to support staff's recommendation to the Board to adopt a Basin Plan Amendment, including: adoption of a Total Maximum Daily Load for Pathogens in Watsonville Sloughs, approval of the removal of the Shellfish Harvesting beneficial use from the sloughs, and adoption of a Livestock Waste Discharge Prohibition for the sloughs.

Following the presentation, Chairman Young asked staff member Shanta Keeling to discuss whom she spoke with in researching the history of potential shellfish harvesting in Watsonville Sloughs. Ms. Keeling provided that information. Board member Jeffries pursued the issue of whether shellfish occurred in the Sloughs and cited second-hand knowledge of bait shellfish coming from the area. He also asked if staff was aware of water transport and storage plans that could affect the Sloughs, including a proposal to pump treated effluent into Harkins Slough for storage for agricultural use. Staff replied that no such proposals had

come before them, but that having a TMDL in place would provide a good framework for insuring that any such proposals were closely reviewed.

Board members Hayashi and Hunter both inquired about the Livestock Waste Discharge Prohibition, how management practices might be selected, and whether livestock operators were concerned about it. This prompted comments from public speakers Darlene Din, Watsonville area watershed coordinator, and Kay Mercer, San Luis and Santa Barbara area watershed coordinator. The speakers' comments indicated that: the agricultural community, including livestock operators, had concerns about meeting the requirements due to high background loading from birds; the prohibition's use of the term "manure" needed more precision to insure that it did not apply to all forms of amendments derived from manure. Staff agreed to insert the word "non-sterile" before the word "manure" where it occurs in the Resolution.

**MOTION:** Gary Shallcross moved to approve Resolution No. R3-2006-0025 to include insertion of the word "non-sterile" before the word "manure" within the Resolution.

**SECONDED:** Les Bowker

**CARRIED – Unanimously (6-0)**

**16. State Revolving Fund Project Priority List for Fiscal Year 2006-07.....Board Approval**

Speaker: Eric Greening, resident of Atascadero asked questions about a couple of individual listings.

The Board asked for additional information for the Pajaro Valley Water Management Agency Recycling Project. Harvey Packard will follow-up.

**MOTION: Russell Jeffries moved to adopt the State Revolving Fund Project Priority List.**

**SECONDED: Les Bowker**

**CARRIED – Unanimously (6-0)**

*(Chairman Young announced a lunch break at 12:20 p.m. Board member Hayashi left the meeting at 12:20 p.m. The meeting reconvened at 1:35 p.m.)*

**18. Public Forum.....Board Direction**

Individuals listed below made comments:

David Broadwater, Resident, Atascadero - spokeabout cadmium contaminated soil in San Miguel.

Joey Racano, Ocean Outfall Group

Richard Sadowsky, Ocean Outfall Group

Marla Jo Bruton, Ocean Outfall Group

Keith Swanson – Resident, Los Osos

Dan Bleskey, Interim General Manager, LOCSD

Dave Duggan, Resident, Los Osos

Linde Owen, Resident, Los Osos

Joyce Albright, Los Osos Taxpayers Watch

Dick Sargent, Resident, Los Osos

Eric Greening – Resident, Atascadero

Peter Brewer – Leric Systems Software

Bruce Payne – Resident, Los Osos

Lois Sargent – Resident, Los Osos

Anton Vesely – (no testimony card)

Lisa Schicker – President, LOCSD

Mr. Briggs indicated he would follow up with the County regarding the San Miguel site, and provide an update for Mr. Broadwater and the Board.

**17. Regional Board Vision, Goals, and Objectives .....Status Report**

Michael Thomas, Assistant Executive Officer, provided a status report on staff's efforts to draft a vision, measurable goals, and specific objectives for the Water Board organization. Staff (up to about half the office at different times) has been working on developing tangible goals for our organization over the past several months. The point is to establish a vision for the future Central Coast Region, and measurable goals and specific objectives to get there. We can best serve and benefit the resources we want to protect, the public (our customers), and ourselves (for job satisfaction) by being proactive and achieving measurable improvements in the real world.

Mr. Thomas reviewed our draft Vision, Goals, and Objectives, and emphasized that the objectives are examples only, and are provided for context.

Our vision for the Central Coast is expressed as:

- Clean Water
- Healthy Coastal Environments
- Healthy Functioning Watersheds

Our five measurable goals are:

1. By 2025, 80% of the watershed riparian systems on the Central Coast are healthy, and the other 20% are getting healthier.
2. By 2025, 90% of the land within any watershed is free of impervious surfaces.

3. By 2025, 80% of land within any watershed is properly managed to support a healthy functioning watershed, with the remaining 20% achieving a positive trend.
4. By 2025, 80% of groundwater is clean, with the remaining 20% getting cleaner.
5. By 2025, the Water Board will manage all discharges to ensure a healthy coastal environment for humans and wildlife.

Staff is working on final objectives and will bring them to the Board in June 2006. Board Chairman Jeff Young asked for clarification regarding staff's work on a multi parameter approach to define functioning riparian areas and watersheds.

Mr. Thomas also summarized some of the work we are doing now, such as the groundwork for a major Basin Plan amendment to protect aquatic habitat (riparian areas and wetlands), promotion of low impact development throughout our region, and better coordination of our programs. Mr. Thomas emphasized that this is an ongoing, long-term effort to be a more proactive, effective organization.

David Duggan, Resident, Los Osos – spoke about a watershed management program in Los Osos Valley. He noted that he was working on ponding wetlands and ag exchange. Mr. Duggan is on the Water Committee in Los Osos. He has concerns about non-point source issues for Los Osos. He was very impressed by the vision, goals, and objectives of the Regional Board.

**3. Approval of January 5, 2006 Meeting Minutes ..... Board Motion**

**MOTION – Les Bowker moved to approve the January 5, 2006 minutes.  
SECOND – Russell Jeffries  
CARRIED – Unanimously (5-0)**

**14. Enforcement Report ..... Status Report**

The Board asked about the number of violations occurring at California Men's Colony. Mr. Briggs noted that the effluent violations are subject to mandatory minimum penalties.

Completion of their new trunk line and treatment plant should be complete by May 2006. Mr. Briggs noted that the City of Pismo Beach has nearly completed its new treatment plant.

**19. Reports by Regional Board Members ..... Status Report**

Chairman Young discussed a meeting he had with Santa Barbara County's Rob Almy. The Chief Counsel would like the Board to be very careful about any potential ex parte contacts when the

related item is coming up before the Board. The Board asked for clarification. Lori Okun clarified procedures on handling ex parte contacts.

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

Roger Briggs, Harvey Packard, and Peter von Langen met with representatives of Pajaro Sunny Mesa regarding a desal project. Cal Am and Pajaro Sunny Mesa will be running pilot desal projects.

A meeting and tour is coming up on April 12 related to agriculture that is being sponsored by MBNMS. The meeting will focus on what is needed to get agricultural water quality management practices on the ground, the role of education and technical assistance, and how the agricultural waiver was developed. Several Board members expressed interest in attending the meeting. More details will be provided later.

We have been working with the Monterey Bay National Marine Sanctuary (MBNMS) on a revision of the Memorandum of Agreement (MOA). We have been working with the sanctuary and Region 2 on implementing changes for the MOA.

A couple of large staff report items coming up are the Morro Bay/Cayucos

Wastewater Treatment Plant Permit and the Monterey Regional Storm Water Management Plan item.

Our offsite meeting will be held on June 8, 2006. The Water Quality Coordinating Committee (WQCC) meeting is to be held on April 24-25 in Sacramento. The Board discussed the Monday and Tuesday dates.

The State Regional Board budget will be before the Senate on April 3, then to the Assembly on April 19, and back to the

Senate after that. Board member Jeffries asked about the status of Arana Gulch and the Frisbee course in Santa Cruz County. A supplemental environmental project was initiated at the big golf course. Peter von Langen did an inspection at the Frisbee course and reported that it was much improved with plantings. Board member Hunter reminded the public that focusing on issues should be a priority during public comment.

Chairman Young adjourned the public meeting at 3:45 p.m. and opened a closed session meeting. Closed session adjourned at 4:10 p.m.

The meeting was audio recorded and the minutes were reviewed by management, and approved by the Board at its May 11-12, 2006 meeting in San Luis Obispo, California.



---

Jeffrey Young, Chairman