



# California Regional Water Resources Control Board Central Coast Region



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Arnold Schwarzenegger  
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## MINUTES REGULAR MEETING Friday, December 7, 2007 Central Coast Regional Water Board

Chairman Young called the meeting of the Central Coast Water Board to order at 8:35 a.m. on Friday, December 7 2007, 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  
John Hayashi  
David Hodgkin  
Monica Hunter  
Gary Shallcross

**Absent:**

Vice Chair, Russell Jeffries  
Daniel Press

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

Executive Officer Briggs introduced staff and announced that our State Board Liaison would not be able to attend the meeting. He asked parties who wished to speak to complete testimony cards and turn them in. Mr. Briggs congratulated Board member Hayashi on his recent reappointment to the Board. Supplemental Sheets that were prepared after the agenda was sent out are as follows: Items 8, 9, 15, and 19. Item 10/Monterey Peninsula Unified School District – waived the scheduled ACL hearing and submitted a check for payment of penalties.

3. Approval of October 19, 2007 Meeting Minutes ..... Board Motion

**MOTION:** David Hodgkin moved to approve the October 19, 2007 meeting minutes.

**SECOND:** John Hayashi

**CARRIED:** Unanimously (5-0)

4. Uncontested Items Calendar ..... Board Motion

**MOTION:** Gary Shallcross moved to approve Item 16 for the consent calendar.

**SECOND:** John Hayashi

**CARRIED:** Unanimously (5-0)

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

No report at this time.

6. Public Forum .....Board Direction

The individuals listed below had public comments:

- Eric Greening – noted the effects of the first storm of the year and suggested the Board have an standing agenda item on first flush related to old infrastructure areas. He also noted that the County has serious budget issues and that ongoing water quality monitoring may be cut from their budget. The County is in the process of updating its conservation element. The County contact person is James Caruso.
- Bill Bookout – commented on flooding of his nursery in Oceano and is asking for specific documents from the Regional Board.

7. South Coast Community Septic to Sewer Project Resolution..... Board Motion

Regional Board staff David LaCaro made a presentation providing background and recommended adoption of Resolution No. R3-2007-0095.

During the public comment period five residents of Rincon Point (include names) stated their opposition to the resolution. Several comments referenced personal attacks within the residential communities, misinformation on data used as a basis for the resolution, and that the data does not demonstrate that the existing septic systems are contributing to adjacent water bodies pollution.

Board Member John Hayashi inquired about the allegations regarding reimbursement of monies from Carpinteria Sanitary District to Heal the Ocean.

Mr. Craig Murray, General Manager of Carpinteria Sanitary District, informed the Water Board that a majority of the residents in the affected communities requested to be sewerred and that the October 16, 2007 assessment district vote passed 2 to 1. Mr. Murray also explained that from the beginning the sanitary district expected lawsuits from the opposing residents and that the sanitary district did not have the appropriate funds to address litigation. The sanitary district signed a binding indemnity agreement with Heal the Ocean, which allowed Heal the Ocean to provide funding for the potential litigation under the condition that the funds would be reimbursed. Heal the Ocean provided \$100,000 to support the sanitary district. Mr. Murray thanked the Water Board for the resolution of appreciation.

Ms. Hillary Hauser, Executive Director of Heal the Ocean thanked the Board for the recognition and support for the project.

**MOTION:** Gary Shallcross moved to adopt Resolution No. R3-2007-0095 as recommended by staff.

**SECOND:** John Hayashi.

**CARRIED:** Unanimously (5-0)

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

Mr. Briggs covered items in the low threat and general discharge cases. He asked the Board if there were questions on any of the cases. The Board had no questions on this item.



**9. Municipal Storm Water Regulation and MS4  
General Permit Enrollment Strategy .....Board Direction**

Regional Board staff Dominic Roques presented the proposed Enrollment Strategy for enrolling the traditional Municipal Separate Storm Sewer Systems (MS4s) under the General NPDES Municipal Storm Water Permit for Small MS4s. Public comment from four speakers included the following:

Jerry Bunin, Central Coast Homebuilders Association, pointed out that currently enrolled MS4s are providing inconsistent guidance relative to requirements of approved Storm Water Management Plans (SWMP). Mr. Bunin wants to make sure that Water Board staff members include stakeholders in the process. Steve Shimek of Monterey Coastkeeper and The Otter Project, indicated that he supports the process and wants to see the SWMP approvals move along, but is concerned that the SWMPs are getting too large and are difficult for the public to review. He suggested that staff post all SWMPs now, post a redline version once staff has completed its review, and put the MS4s' SWMP revisions on the Water Board's website. Mr. Shimek suggested extending phase IV of the process and providing strong guidance to the MS4s. Priya Verma of Heal the Ocean said she would like to see more time for the MS4s to make changes to the SWMPs based on public input. She suggested providing more time for phase IV.

Discussion among Board Members included the following: Jeff Young wondered if we could group the City of Lompoc in with the City of Santa Maria in the first cycle, and encouraged staff to post as much information as possible as early as possible to provide adequate public participation. David Hodgkin indicated he was having difficulty appreciating the effort it takes to review and approve SWMPs. He was concerned about cycle 3 for the Santa Cruz group ending with a Board hearing in San Luis Obispo rather than a meeting in the northern part of the region. Mr. Hodgkin also expressed concerns with school districts having adequate funding to develop and implement SWMPs, when they are having difficulty with budgets for education. Gary Shallcross Indicated that we could always move a Board meeting to the northern part of the region to accommodate the schedule if it was needed. Mr. Shallcross indicated he was pleased with the proposal and does not want to see the schedule expanded. Monica Hunter believed it was a good idea for Board staff to participate in the MS4 outreach in developing their SWMPs. Dr. Hunter indicated that staff did a great job of addressing comments from the Board and public in developing the new strategy.

Board members required no changes and commented that they supported staff's proposed Enrollment Strategy.

*(Chairman Young announced a break at 10:40 a.m. The meeting reconvened at 10:50 a.m.)*

**10. Monterey Peninsula Unified School District, Monterey County ..... Order No. R3-2007-0088**

The hearing was waived and the penalties were paid for this item.

**11. Paul Trucking, Santa Cruz County ..... Order No. R3-2007-0089**

Yvonne West, Staff Counsel/Enforcement Unit in Sacramento joined the meeting via teleconference to provide legal advice to the Enforcement team. Board member Hodgkin asked about the proportion of the Administrative Civil Liability (ACL) amount as compared to the other ACL's on the agenda. Staff member Harvey Packard pointed out that the facility failed to submit their annual reports for several years, therefore, the ACL amount is larger.



**MOTION: David Hodgin moved to approve ACL Order No. R3-2007-0089.**

**SECOND: Gary Shallcross**

**CARRIED: Unanimously (5-0)**

**12. Gerry's Foreign Auto Wrecking, Santa Cruz County ..... Order No. R3-2007-0035**

Executive Officer Briggs asked if anyone was representing the discharger and if anyone wished to speak on the item. No one responded.

**MOTION: John Hayashi moved to approve ACL Order No. R3-2007-0035.**

**SECOND: Gary Shallcross**

**CARRIED: Unanimously (5-0)**

**13. Scotts Valley Dry Cleaners, Santa Cruz County ..... Status Report**

A written report was provided for this item. The Board had no questions.

**14. Perchlorate Cases, San Benito County ..... Status Report**

A written report was provided for this item. The Board had no questions.

**15. Olin Corporation, Santa Clara County ..... Board Direction**

Executive Officer Briggs introduced the item and indicated that following all public comment and subsequent changes to the Cleanup and Abatement Order, if any, staff would request that the Board direct the Executive Officer to issue Cleanup and Abatement Order No. R3-2007-0077 (CAO) to Olin Corporation (Olin). Mr. Briggs outlined the CAO public comment timeline and stated that supplemental written comments from the City of Morgan Hill (City) did not address the revised portions of the CAO, as directed by Board Chairman Jeff Young. As such, the City's comments were not accepted by the Chair for this item. Chairman Young agreed that the City could address the Board and present justification as to why its comments should be accepted.

Steven Hoch, legal counsel for the City, stated that the City's supplemental comments pertain to the CAO and the Board should accept the comments into the record. Chairman Young stated that the City's supplemental comments were not relevant to the specific CAO changes. Mr. Hoch disagreed and requested he be allowed to read the disallowed comments into the record as part of their oral presentation. Chairman Young granted the City five additional minutes to allow Mr. Hoch to include important information from the City's comments.

Water Resource Control Engineer Hector Hernandez, presented project milestones and the current subsurface perchlorate distribution in the Llagas Subbasin. He stated that onsite groundwater cleanup is ongoing, onsite soil is remediated, and offsite wellhead treatment continues. He stated the proposed CAO continues the remediation program by addressing offsite groundwater cleanup and includes a schedule for project submittals. Based on comments, Water Board staff expanded groundwater containment and treatment to include Priority Zones A and B for the intermediate aquifer. Mr. Hernandez indicated comments also covered replacement water for the Tennant Well, expanded scope of active cleanup, and monitored attenuation (MA).

Chairman Young, and Board members Gary Shallcross and Monica Hunter asked questions regarding MA. Water Board staff Hector Hernandez and Thea Tryon, Engineering Geologist,



explained that for this perchlorate plume, MA is a physical process of dilution/dispersion. Water Board staff added that the proposed monitoring system needs to be increased to adequately assess MA processes and staff will include these changes in the Board's forthcoming letter of response to Olin's cleanup work plan. Ms. Tryon indicated that MA will be used to cleanup Priority Zone D in the southern portion of the plume, and that the number of wells with perchlorate above the maximum contaminant level (MCL) of six parts per billion (ppb) has decreased by approximately two-thirds in under three years.

Dr. Hunter and Mr. Shallcross asked questions about replacement water. Ms. Tryon stated that Olin is required to provide treatment for any new domestic well within the perchlorate plume. Dr. Hunter asked about well owners that no longer received bottled water. Ms. Tryon indicated these wells had four consecutive quarters with perchlorate below 6 ppb prior to bottled water termination and reduction in monitoring frequency. However, if any of these wells have perchlorate detections above the MCL at a later date, replacement water would be reinstated immediately. These wells are spread throughout the basin and there are natural and seasonal variability in the data. Dr. Hunter asked about detections just above 6 ppb and potential increases in concentrations. Mr. Hernandez stated that Olin must equip all wells with concentrations above 7.9 ppb with wellhead treatment. Mr. Briggs clarified that any perchlorate detection in a well above 6 ppb will trigger the requirement for re-instating replacement water.

Mr. Hernandez recommended that after considering all comments, the Board would authorize the Executive Officer to issue the CAO to Olin, including any changes directed by the Board.

Several Board members discussed the San Pedro well and the fact that it produces more water than the Tennant well. The City would like replacement costs for operating the Tennant well even though Olin paid for the San Pedro well as a replacement. Ms. Tryon showed a map identifying that the San Pedro well is over one mile from the Tennant Well, and indicated that it produces from the intermediate and deep aquifers.

Olin representatives included David Share, Director of Environmental Remediation, Mr. Randolph Visser, Legal Counsel, and Mr. Michael Teraszki, MACTEC, Olin's consultant. Mr. Share thanked staff for their work, and stated Olin was surprised the proposed order was modified to include hydraulic containment of Priority Zone B for the intermediate aquifer. He indicated Olin had almost completed installation of the first extraction well, to establish hydraulic containment of Priority Zone A in the intermediate aquifer. He stated that some of the dates in the proposed CAO were unrealistic. Mr. Teraszki presented the offsite cleanup plan technical aspects, indicating Olin's plan is hydraulic control of Zone A and MA in all other areas. For MA to succeed, the source area must be remediated, which Olin has done. Olin has observed MA in the Llagas basin based on the decline in the number of wells above 6 ppb. Mr. Teraszki stated that after Olin started the onsite treatment system, the domestic wells in the intermediate aquifer exhibited decreasing trends and the number of wells receiving replacement water decreased.

In response to a question from Mr. Young, Mr. Teraszki identified wells with decreasing perchlorate trends, and stated that once the plume core is removed, remaining perchlorate concentrations should attenuate below the MCL. He also indicated that capturing Zone B (6 to 8 ppb), would triple the volume of water extracted, and expressed concern that increased pumping south of the site may move contamination and the cost will outweigh any benefit.

Mr. Shallcross asked what the basis is for 24.5 ppb designation for Priority Zone A. Mr. Teraszki explained that the number was originally based on USEPA's Preliminary Remediation Goal (PRG) of 24.5 ppb. In response to questions regarding the need for an additional containment well, John Robertson, Water Board Section Manager, stated that because uncertainty exists regarding the new well's capabilities, the Water Board would like to see capture results for Olin's intermediate zone



extraction well prior to determining if additional extraction wells are necessary to achieve capture of Priority Zones A and B. Mr. Shallcross questioned the intermediate capture well location and if pumping will cause other wells to become impacted with perchlorate. Mr. Teraszki stated Olin would like to install and evaluate this well first and indicated that a second well would not speed cleanup.

*(Chairman Young announced a break for Closed Session and lunch at 12:30 p.m. The meeting reconvened at 1:30 p.m.)*

Continuing Olin's presentation, Mr. Teraszki stated MACTEC and Geosyntec have designed one well to contain the intermediate aquifer plume. Mr. Teraszki said the proposed CAO schedule for the deep zone is too aggressive and requested an extension until after deep aquifer characterization is complete. Mr. Shallcross suggested Olin provide a date to the Board at a later time. Mr. Teraszki also stated that 6 ppb is an appropriate cleanup goal, not background. He stated Olin agrees the Tennant well is appropriately excluded in the CAO, and that operation of the Tennant well has drawn contaminants down and does not effectively clean up the site, because it is not sited or screened in the appropriate location. The San Pedro well provides adequate replacement water.

Mr. Young stated that the issue is not whether or not San Pedro replaced Tennant, but addressing the City's water supply needs. Mr. Teraski stated that Olin has proposed other wells for the City to pump. Mr. Teraski stated that Olin disagrees with the northeast area cleanup requirement in the proposed CAO. Mr. Teraszki indicated that the Olin site is hydraulically isolated from the northern part of the sub-basin because of the direction of groundwater flow and recharge, perchlorate detections are widespread, and there is a well-known upgradient source. He concluded that Olin's current cleanup plan is good and Olin would like to proceed with its plan as soon as possible.

Mr. Briggs asked Olin how the addition of Priority Zone B would delay Olin's schedule. Mr. Teraszki stated that Olin was concerned that addition of an extraction well will require significant engineering changes to the treatment and conveyance system and cause delays. Mr. Briggs indicated that these issues would be addressed in the report due April 2008. Mr. Teraszki thought the incremental difference of adding Zone B along with Zone A would not increase the natural remediation of the down-gradient plume and that the considerable expense is not warranted based on the additional time for cleanup.

Board Members expressed concern that residents must continue drinking filtered or bottled water for a very long time. Mr. Briggs stated that the Board is also looking beyond existing wells and recognizes groundwater as a beneficial use. Mr. Briggs asked Olin if perchlorate concentrations would drop steeply to the MCL and below the MCL in a short time after remediation begins. Mr. Teraszki stated that nothing will stop the decline of perchlorate below 6 ppb; the decline will continue.

Dr. Hunter asked about the three wells directly impacted by expansion of cleanup of Priority Zone B. Ms. Tryon responded that the rationale behind adding Zone B is to accelerate cleanup in the intermediate aquifer, the drinking water aquifer. If cleanup is in only Zone A, Olin predicts it will take 12 years to remediate. Mr. Briggs and Mr. Hernandez stated that this is a phased approach. Staff will determine if one dedicated groundwater extraction well is effective enough; if not, staff will require additional extraction wells. Mr. Robertson stated that under the proposed CAO, on April 15, 2008, Olin is required to submit the intermediate aquifer plan. This will provide for adaptive management, if the single well is inadequate, the submittal should provide a strategy for achieving the capture of Zones A and B.



**Public comments were received from:**

Rosemary Kamei, Santa Clara Valley Water District, said the CAO timeline is slow and too passive. Since bottled water will continue for more than a decade, she wants an aggressive cleanup of all aquifer zones and for the Board to look at all cleanup alternatives.

Wendy Rooney, Community Development City of Gilroy - the City would like to see all Zones remediated. The CAO should have a comprehensive, aggressive time schedule.

Gregg Van Wassenhove, Santa Clara County Board of Supervisors - Because County comments were not accepted (late), he read a letter from the Santa Clara County Board of Supervisors. The letter states that the CAO should provide active remediation throughout the entire sub-basin. The supervisors recommend cleanup in all areas above drinking water standards. Mr. Wassenhove expressed concern that agricultural wells are used as drinking water sources and recommends staff evaluate impacts to these wells.

Colleen Freeman, Assemblymember John Laird's representative - Because his editorial was not accepted into the record (late), she read the opinion piece from Assemblymember Laird, stating that he would like to see more active remediation throughout the plume. In addition, he recommends a comprehensive community involvement plan.

Tracy Hemmeter, on behalf of Sylvia Hamilton, Perchlorate Community Advisory Group (PCAG) - PCAG appreciates staff including the addition of Zone B in the CAO, and requests the Board set a more aggressive cleanup schedule and method instead of MA, because the length of time to cleanup is not acceptable.

Steve Tate, Morgan Hill Mayor - residents have to pay for perchlorate cleanup through a water bill surcharge; this should be Olin's responsibility. He stated that the City is the only one actively cleaning up perchlorate through treatment on the Tennant well. Mr. Briggs asked Mr. Tate about his statement that the City is the only one who is removing perchlorate. Mr. Briggs stated that Water Board staff's earlier presentation pointed out that Olin's perchlorate cleanup is ongoing through soil and groundwater treatment cleanup and offsite wellhead treatment. Mr. Tate stated he heard staff's presentation.

Andria Ventura, Clean Water Action - Clean Water Action wants to ensure everyone has access to safe and clean drinking water. She requested taking out all references to MCLs because of Resolution No. 92-49. She stated that MA is not appropriate. She requested staff include adaptive management language in the CAO as she proposed in her written comments. Mr. Briggs clarified that the CAO requires active cleanup if MA is not effective.

Steven Hoch, City of Morgan Hill - Cleanup level should be background, or 1.4 ppb. Mr. Hoch stated MA is not a proper cleanup alternative. He also stated the Tennant well was used by the City following failed efforts to site a new supply well in the basin. Mr. Hoch requested the CAO include replacement for the Tennant well.

Ed Tewes, Morgan Hill City Manager - Mr. Tewes stated the northeast area has low levels of perchlorate and showed Tennant Well perchlorate test data graphs. He stated that Tennant well perchlorate data has not declined, which shows that MA is not occurring. He asked the Board to consider the mass of perchlorate that has been removed by the City's Tennant Well. He asked that the Tennant well be part of cleanup strategy in the CAO. Mr. Young asked Mr. Tewes if the City were to remove the Tennant well, would the City have enough water supplies and when does the demand equal the supply. Mr. Tewes answered that the City does not have enough water supply to meet peak summer demand. Mr. Tewes referred to several slides that demand equaled supply in 2004.



Richard Peekema, San Jose chemist - Mr. Peekema indicated it is not possible or feasible to cleanup to background. He questioned the assumption that perchlorate causes "degraded" groundwater.

Chairman Young requested Olin present their closing remarks. Mr. Teraszki showed a cross section of the site and showed that the Tennant well is screened predominantly in the deep aquifer, while the proposed extraction wells are in the intermediate zone. Mr. Teraszki does not believe the City is correct that MA is not happening. He stated that MA is observed downgradient from the onsite extraction wells. It is unknown how perchlorate moved to the depth of the Tennant Well. Mr. Shallcross commented that if the contamination was not there, the Tennant well could operate normally.

Staff requested and was granted a ten minute break to form proposed language changes to the CAO and provide the board with a recommendation.

Following the break, Mr. Briggs stated that Olin has made a lot of progress considering the complexity and size of the impacted area, and Water Board staff wants Olin to continue as fast as is reasonably possible cleanup. Mr. Briggs stated that including the perchlorate MCL in the CAO was necessary due to replacement water issues and that the proposed plan is an adaptive management approach to achieving background because there is a contingency plan backing up the MA strategy. Mr. Briggs proposed that the Board adopt the proposed CAO as written with a language change to the CAO on Paragraph D, page 20, last sentence, which will read, "In addition to hydraulic containment of Priority Zone A in the intermediate aquifer, the Discharger is also required to demonstrate hydraulic containment of Priority Zone B (in the intermediate aquifer only) or submit an alternative Priority Zone B containment plan, at the request of the Executive Officer." Olin will proceed with the first extraction well, and if they determine that the single well cannot adequately contain both Zones A and B, Olin will submit a plan on how to contain Zone B, upon the Executive Officer's request. This change was also reflected in Paragraph E.4. on page 22 of the CAO, requiring that the submittal due on April 15, 2008 (Intermediate Aquifer Zone Cleanup Work Plan) propose a contingency should the containment of Zones A and B not be achievable through the single containment well. There were no other proposed changes.

Mr. Young asked what the cleanup approach would be for Priority Zones C and D. Mr. Briggs stated that Olin will continue with MA, but if it is not working, Olin will need to assess additional cleanup actions. Mr. Shallcross stated his concern that MA is not an effective cleanup strategy. Ms. Tryon stated that the monitoring plan will be developed to evaluate MA's effectiveness.

Mr. Briggs summarized that the Board needs to give him direction to either 1) Zone A remediation only; 2) Staff proposed Zone A and B; and 3) More aggressive remediation in additional zones. Mr. Young stated that he agrees with option two and asked when staff will decide if active remediation is appropriate for C and D or if MA is appropriate. Mr. Briggs stated that MA monitoring is required annually and that he suggests staff bring the data back to the Board in March 2009. Dr. Hunter asked if the Board could see the metrics of the trigger points in the contingency plan. Mr. Robertson indicated that staff could report back to the Board as this portion of the Performance Monitoring Program was developed.

Chairman Young discussed the Tennant well, stating if the City's water demands increase, the City has the right to cost recovery. Mr. Shallcross and Dr. Hunter asked about the Water Board's authority if other wells are drilled in impacted areas. Water Board staff Legal Counsel, Frances McChesney, clarified that the Board cannot specify the cleanup method that Olin chooses. She also stated that based on the record, Olin has already provided replacement water. Based on the information now, Olin has already replaced the Tennant well and Olin does not need to provide additional water. She stated that the Board cannot order replacement water twice. Dr. Hunter





commented that the City has had to look for other water sources; the City may have the right for more water. Dr. Hunter agreed with the addition of Zone B proposed by staff, but does not believe MA is acceptable and would like to see the benchmarks for determining MA effectiveness and a time frame for when staff will determine if MA is working in Zones C and D. Board member Hodgins agreed there has been substantial improvement and the new extraction well should answer lots of questions. He expressed concern with requiring an additional extraction well at the southern end of the plume. Mr. Hodgins agreed with the staff recommendation.

Mr. Shallcross suggested that City and Olin send the Board a legal brief on the Board's potential actions concerning Tennant Well replacement water. Ms. McChesney said it is staff's position that the San Pedro well replaced the Tennant well, but the City is welcome to provide any additional information. She said such information should be independent of this CAO. The attorneys agreed to schedule a conference call to discuss the request. Ms. McChesney will report back to the Board on how they can legally proceed with Tennant well issues.

Mr. Shallcross stated he would like active remediation out to Zone C, but agreed with staff's proposed changes and he does not think long term bottled water is adequate replacement water. He would like those wells with perchlorate above 6 ppb to get wellhead treatment. Ms. McChesney stated that staff can look into the issue. Board Member Hayashi supported staff changes.

**MOTION: David Hodgins moved to direct the Executive Officer to issue Cleanup and Abatement Order No. R3-2007-0077 to Olin Corporation, including the proposed changes.**

**SECOND: John Hayashi**

**CARRIED: Unanimously (5-0)**

*(Board member Hodgins left the meeting at approximately 4:30 p.m.)*

#### **17. Los Osos Wastewater Project/Enforcement Update, San Luis Obispo County .. Status Report**

Assistant Executive Officer Michael Thomas provided a brief summary of the staff report regarding Los Osos Prohibition Zone enforcement issues. The Water Board recently issued Cease and Desist Orders against individual property owners in Los Osos, and has considered the possibility of scheduling a hearing to rescind the Orders now that the County wastewater treatment plant process is moving forward. Mr. Thomas reminded the Board that there are several legal actions pending regarding the Cease and Desist Orders, and recommended that the Water Board consider input from the Board's attorneys in closed session before scheduling such a hearing. Mr. Thomas recommended that the Board not schedule a hearing to consider rescinding the Orders at this time, and recommended additional closed sessions as needed to discuss the various lawsuits.

Several members of the public spoke in favor of rescinding the Cease and Desist Orders as follows:

- Julie Tacker
- Elisabeth Allebe
- Beverley DeWitt-Moylan
- William Moylan
- Tom Murphy
- Ben DiFatta
- Keith Wimer
- Dr. Mary Fullwood
- Chuck Cesena
- Chris Allebe
- Laurie McCombs



- Gail McPherson
- Joe Sparks
- Lisa Schicker
- Lawson Schaller
- Shaunna Sullivan
- Antoinette Payne
- Leon Golden

Chairman Jeff Young said that he was not in favor of scheduling a hearing to rescind the Orders at this time due to the nature of the lawsuits filed against the Water Board, threats of additional legal action against the 218 assessment vote, and statements by a CSD Board member that she would derail the project if she didn't like it. The Board took no action.

**18. Enforcement Report..... Status Report**

Mr. Briggs noted that the report addressed Board member questions from the last meeting about Pacific Grove and the City of Salinas sewer system management plans. There were no additional questions.

**19. Land Disposal Program Update ..... Status Report**

Mr. Briggs noted that the update is a written report. He pointed out a supplemental sheet - a letter the Regional Board sent to the Santa Barbara County Public Works Director about the Santa Ynez Airport landfill, discussing the forthcoming CEQA document regarding airport expansion. Additionally, the staff report provided answers to the Board members about its responsibilities and authority with regard to CEQA review and the landfill. He noted staff and several site representatives were present regarding the landfill in case the Board has questions. The Board had no questions.

**20. Reports by Central Coast Water Board Members .....Status Reports**

No reports at this time.

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

Mr. Briggs announced that he and Assistant Executive Officer Michael Thomas will be meeting with the Ocean Protection Council and the Coastal Conservancy in Oakland to discuss funding opportunities for CCAMP and Low Impact Development.

Dr. Hunter asked how our region will be impacted by the Governor's request for a 10% cut in funding across the board. Michael Thomas noted that during the last Assistant Executive Officer's meeting, State Board staff reported there should not be any cuts this year that would affect our region. The 10% cut applies to the General Fund, which is a small percentage of our overall funding, and cuts are likely next fiscal year.



Mr. Briggs reminded the Board about the upcoming Water Quality Coordinating Committee meeting on December 10-11 in Sacramento. Board members Hayashi, Hodgins, Hunter, and Young are planning to attend the WQCC meeting.

Chairman Young adjourned the meeting at 5:45 p.m. The next Board meeting will be held on February 7, 2008, in San Luis Obispo.

The meeting was audio recorded and the minutes were reviewed by management and approved by the Board at its February 7, 2008 meeting in San Luis Obispo, California.

  
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Jeffrey Young, Chairman

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E/CD/CCWB MINUTES 1999-2008

