



California Regional Water Resources Control Board Central Coast Region



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Arnold Schwarzenegger
Governor

MINUTES REGULAR MEETING Friday, October 17, 2008 Central Coast Regional Water Board

Chairman Jeffrey Young called the meeting of the Central Coast Water Board to order at 8:32 a.m. on Friday, October 17, 2008, at the Santa Barbara County Supervisors Board Room, 105 East Anapamu, 4th Floor, Santa Barbara, California.

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

Board Members Present:

- Jeffrey Young, Chair
- Russell Jeffries, Vice Chair
- David Hodgkin
- Monica Hunter
- Gary Shallcross
- John Hayashi

2. Introductions Executive Officer Roger Briggs

Executive Officer Briggs introduced staff and asked parties who wished to speak to complete testimony cards and turn them in. Supplemental sheets that were prepared after the agenda was sent out are as follows: Items 9 and 10.

3. Approval of September 4-5, 2008 MinutesBoard Motion

MOTION: Russell Jeffries moved to approve the September 4-5, 2008 minutes.
SECOND: Monica Hunter
CARRIED: (5-0), David Hodgkin abstained.

4. Uncontested Items CalendarBoard Motion

Uncontested items include Items 10 and 11. Mr. Steve Shimek of Monterey Coastkeeper requested to remove Item No. 10 from the uncontested items calendar for discussion.

MOTION: Russell Jeffries moved to approve Item No. 11 on the uncontested items calendar.
SECOND: David Hodgkin
CARRIED: Unanimously (6-0)

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

No report at this time.



6. Low Threat and General Discharge Cases Status Reports

Board member Hunter asked for clarification regarding the last sentence of the staff report for the Kendall-Jackson Winery enrollment in the general winery waste discharge requirement. Executive Officer Briggs explained that only the monitoring and reporting program was modified, tailored to be relative to Kendall-Jackson's specific operations and discharge.

7. Recommended Case Closures Board Approval

Executive Officer Briggs noted two cases recommended for closure; the Vandenberg Air Force Base TCE plume and the Beacon Service Station in Monterey County. Reasons were listed for staff's recommendations for both cases.

MOTION: David Hodgin moved to approve the staff recommendation.

SECOND: Monica Hunter

CARRIED: Unanimously (6-0)

8. Staff Closures and Corrective Action Plan Approvals Info/Discussion/Board Direction

Executive Officer Briggs noted that all of the sample results met water quality objectives for the Quik Stop Market #41 in Watsonville. The Bardex Corporation report describes their Corrective Action Plan. The Board had no questions for the items and Mr. Briggs thanked staff for their work on the items.

9. City of Lompoc Storm Water Management Program Order No. R3-2008-0071

Water Board staff Environmental Geologist Dominic Roques provided background and recommended the Board adopt Resolution No. R3-2008-0071 to approve the City of Lompoc Storm Water Management Program, including a list of required revisions dated October 16, 2008. The required revisions addressed deficiencies of the City's Storm Water Management Plan, including inadequate commitments to: 1) develop interim hydromodification management criteria, 2) clean up San Miguelito Creek, 3) improve drainage at the City Landfill, and 4) provide long-term watershed protection.

(Chairman Young announced a break at 10:03 a.m. The meeting reconvened at 10:12 a.m.)

Tess Dunham, with Somach, Simmons, Dunn, Special Counsel for the City of Lompoc (City), and Stacy Lawson, Senior Environmental Coordinator for the City, presented the City's arguments against some of the required revisions (e.g., 1-4 in above paragraph). They cited specific conditions in the City, including soil conditions, channelized creeks, and vulnerable groundwater conditions, that preclude, or make unnecessarily difficult, the application of hypothetical hydromodification criteria.

Senior Water Resources Control Engineer Matt Thompson provided a brief rebuttal to the City before the Board accepted public comment on the item.

The following representatives of public agencies addressed the Water Board in support of Lompoc: Geoff English, City of Atascadero Interim Public Works Director; Tom Fayram, Santa Barbara Co. Deputy Director of Public Works; Barbara Lynch, City of San Luis Obispo Deputy Director; Ellen Pritchett, City of Santa Maria Environmental Compliance Coordinator; Jill Falcone, County of San Luis Obispo; Steve Wagner, City of Goleta; Steve Kahn, City of Santa Maria Utilities Engineer. The agency representatives described various obstacles to developing and implementing interim hydromodification criteria in the time



frame required by the Board Resolution, including: cost, lack of preparation and expertise, lack of need, and conflict with redevelopment and housing goals.

The following individuals spoke in support of the City of Lompoc and echoed many of the comments by the agency representatives regarding developing and implementing criteria for hydromodification control: Jerry Bunin, Urban McLellan, and Derek Hansen of the Home Builder's Association; Craig Steward, Santa Barbara Citizen/Engineer; Thomas O. Rowe, City of Lompoc resident and professional engineer; Doug Pike, Lompoc Citizen; Leroy Cadena, MNS Engineers; and Bob Flowers, Flowers & Associates, Civil Engineer.

Both agency representatives and the above individuals suggested technical advisory or stakeholder processes to facilitate the rollout of any new requirements for hydromodification control.

Representatives of three environmental organizations supported Water Board staff recommendations, including: Steve Shimek, Monterey Coastkeeper; Kira Redmond, Santa Barbara Channelkeeper; and Hillary Hauser, Heal the Ocean.

(Chairman Young announced a break for lunch and closed session at 12:45 p.m. The meeting reconvened at 2:00 p.m.)

The Board asked several questions to follow up on issues raised during the City's presentation and public comment, then provided the City the opportunity to summarize its arguments opposing staff's recommendation. Following testimony, staff revised its recommendations to accommodate some of the City's requests and refined the specific requirements for developing interim hydromodification. Specifically, Board staff proposed revisions that clarify that the City has flexibility on criteria, and to provide any party the opportunity to request a hearing before the Board if they are aggrieved by Water Board staff approval of criteria. The Water Board approved these revisions.

MOTION: Monica Hunter moved to approve staff's recommendation.

SECOND: Gary Shallcross

CARRIED: Unanimously (6- 0)

10. Sand City Desalination Plant.....Board Motion

Mr. Steve Shimek of Monterey Coastkeeper requested the item be removed from the uncontested items calendar and addressed the Board. Mr. Shimek indicated that he was not opposed to the desal plant, not opposed to growth, and not opposed to Sand City providing water supply to the community of 261 residents. Mr. Shimek stated that State Water Board Order No. 95-10 requires CalAm to use any new water to recharge the aquifer or obtain other water to replace Carmel River water on a one-to-one basis. Mr. Shimek said he is not asking us to enforce 95-10 but if the State Board does not enforce the one-to-one replacement, this water will be used for growth or other uses.

Executive Officer Briggs explained that the proposed order is to Sand City and not to CalAm, and that the order cannot require information of a third party. Board member Shallcross indicated his strong preference for finding a way to require that CalAm use the new water supplied by Sand City to reduce Carmel River withdrawals. Mr. Shallcross indicated that since Sand City was not represented at the hearing, it would be appropriate to continue the hearing to a future board meeting.

Board member Hunter asked about staff's coordination with State Water Board Water Rights staff. Lead staff member Burton Chadwick related a telephone conversation with Jim Kassel, Assistant Division Chief of Water Rights, who indicated he could not discuss the issue in substance given the pending Water Rights enforcement Order No. 95-10.



MOTION: John Hayashi moved to continue the hearing to a future Board meeting.
SECOND: Russell Jeffries.
CARRIED: Unanimously (6-0)

12. Enforcement Report Status Report

Board member Hunter asked about the California Men’s Colony chlorine violations and the Water Board staff’s interaction with California Department of Fish and Game relative to reporting requirements. Executive Officer Briggs indicated that the best way to require reporting to Fish and Game was to amend the monitoring and reporting and program requirements, which staff would do. Board member Hunter asked if we could have the violations data sent to the Fish and Game and to the Marine Protected Area coordinator (which is a separate part of the Department of Fish and Game). Mr. Briggs indicated we can to that too, in an amended monitoring and reporting program to the Men’s Colony.

Board member Shallcross asked about the status of the Brookdale Lodge. Staff Engineer Mike Higgins indicated that Santa Cruz County is holding several permits in abeyance to ensure that the property owner comes into compliance with all County and Water Board requirements; the Water Board requires the facility be connected to an updated treatment system.

Mr. Higgins reported that the power supply for the new system was installed about two weeks ago and that the contractor is hooking up the system. Installation of a new leach field is still needed and will be next. The County and Water Board staff are satisfied that the project is moving forward.

13. Public Forum Board Direction

- Kira Redmond, Executive Director, Santa Barbara Channelkeeper – commented on the Santa Barbara County Storm Water Management Program’s (SWMP) second annual report. She said the County’s report provides very little detail on implementation and effectiveness of the SWMP and the report seeks to make amendments that would weaken the SWMP without sufficient explanation. She asked the Board to closely review the report and place the issue on the agenda for a future meeting.

14. Reports by Central Coast Water Board Members Status Report

Board member Jeffries attended a Food Safety Conference presented by Fresh Express in Monterey. The Conference was very informative and addressed E. coli issues on produce. Mr. Jeffries is also planning to attend a dedication ceremony for a new wastewater reclamation facility for the City of Hollister on October 23, 2008.

15. Executive Officer’s Report Information/Discussion

Executive Officer Briggs reported that the Morgan Hill petition to State Board was dismissed. He also noted that the Water Quality Coordinating Committee (WQCC) is scheduled for October 27-28, 2008 in Sacramento. At WQCC, Mr. Briggs will introduce Mr. Al Wanger of the Coastal Commission who will discuss the statewide Low Impact Development Education Program that Assistant Executive Officer Michael Thomas has been working on with Mr. Wanger and others. Also, each Regional Board Chair will talk about Regional Board accomplishments over the last 10 month period. Our Executive Director Dorothy Rice, Deputy Director Jonathan Bishop, and Chief Counsel Michael Lauffer visited our Region and met with management and supervisors. We discussed our priorities and issues, and listened to



statewide issues. Staff Environmental Scientist Karen Worcester provided an update on CCAMP activities and tools developed by the program.

Chairman Young commended Dominic Roques, Matt Thompson, and Lisa McCann on the excellent preparation, coordination, analysis, and response to comments on the Lompoc SWMP.

Chairman Young adjourned the meeting at 4:28 p.m. The next Board meeting will be held on December 5, 2008 in San Luis Obispo.

The meeting was audio recorded and the minutes were reviewed by management and approved by the Board at its December 5, 2008 meeting in San Luis Obispo, California.



Jeffrey Young, Chairman

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