



# California Regional Water Quality Control Board

## Central Coast Region



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Arnold Schwarzenegger  
Governor

MINUTES OF  
REGULAR MEETING  
Thursday and Friday, May 12-13, 2005  
**Regional Water Quality Control Board**

**Thursday, May 12, 2005**

Chairman Jeffrey Young called the meeting of the Central Coast Regional Water Quality Control Board to order at 1:30 p.m. on May 12, 2005, at the Watsonville City Council Chambers, 250 Main Street, Watsonville, California.

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

**Board Members Present:**

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

**Absent:**

Don Villeneuve

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

Executive Officer Roger Briggs introduced staff and two new Board members, Monica Hunter and John Hayashi, returning Board member. Both made brief statements about their appointments and expressed their commitment. Mr. Briggs also introduced State Board Liaison Jerry Secundy. He

noted that the Board took a tour of Elkhorn Slough earlier in the morning. No Board business was conducted during the tour. Mr. Briggs asked all interested parties who wished to comment to fill out testimony cards and submit them. Supplemental sheets are as follows: Items 3 and 4.

**3. Unocal Avila Beach Mitigation Fund**..... Revision to Resolution 00-004

Staff Water Resource Control Engineer, Matt Thompson, presented proposed revisions to Resolution No. 00-004 to fund extension of the Avila Beach Community Services District (CSD) ocean outfall. Mr. Thompson explained the Avila Beach Water Quality Fund accrued \$250,000 interest, and extending the outfall 480 feet could be funded by the interest and contingency in the Fund, without jeopardizing funding of any of the originally approved projects.

end of the Unocal Pier. Board member Daniels inquired about ocean currents in the vicinity of the outfall, and the reason why the extension was only 480 feet. Mr. Thompson responded the discharge is likely too small to affect the monitoring station at the end of the Unocal Pier, ocean currents vary around the outfall, and 480 feet was chosen due to total cost consideration and available funds from the Avila Beach CSD.

Chairman Young asked whether the extended outfall would affect the monitoring station at the

Several Board Members highlighted the benefits of extending the outfall.

***California Environmental Protection Agency***

Avila Beach CSD President, Christopher Helenius, and District Engineer, John Wallace, expressed support for staff's recommendation. Board Members Daniels, Young, and Hayashi questioned the cost of additional extension, the condition of Avila Beach CSD's capital fund, the condition of the existing outfall pipe, and whether the treatment plant would need to be shut down to complete the work. John Wallace responded that another 120 foot extension would cost approximately \$40,000, that the Avila Beach CSD's budget is slowly improving, the existing outfall pipe is corroded

near the end and may need to be cut back 20 or 40 feet before adding the extension; and the treatment plant will need to be shut down and wastewater held for a couple hours during the work to connect the new outfall extension. However, the treatment plant has the capacity to contain the wastewater long enough during low flow conditions to accomplish the connection.

Avila Beach CSD Directors Pete Kelly and Terry Brown expressed support for staff's recommendation.

**MOTION:** Daniel Press moved to adopt staff's proposed revisions to Resolution No. 00-004, to fund extension of the Avila Beach CSD ocean outfall. **SECONDED** by Russell Jeffries. **CARRIED – Unanimously (8-0)**

**4. Monterey Regional Storm Water Management Plan ..... Board Approval**

Vice-Chair Jeffries made a statement of clarification with regard to his representation on the Monterey Bay National Marine Sanctuary Advisory Council. Board Members Hunter and Shallcross recused from this item.

of the MRSWMP. The Board asked when the draft ASBS enforcement may be finished. Staff expects to have the issue before the Board in the Fall of 2005.

Regional Board Engineering Geologist Donette Dunaway presented the staff report for the Monterey Regional Storm Water Management Program (MRSWMP). She characterized the main public comments as being in three categories:

Chairman Young asked if the MRSWMP included the "most vigorous" BMPs from the EPA's list of proposed BMPs. Ms. Dunaway explained the staff's review process in terms of determining whether or not the selected BMPs were reasonable choices. Daniel Press, Jeffrey Young, and Bruce Daniels all said they would like to be assured by Regional Board staff that they thoroughly evaluated the proposed BMPs and Measurable Goals to ensure they would be affective and adequate.

- 1. Attachment 4 design standards
- 2. ASBS (Area of Special Biological Significance) Issues and waste discharge provisions
- 3. Stormwater Management Plan BMP (Best Management Practices) specificity, choice, and timing

Mr. Daniels asked if the Regional Board can require changes to the MRSWMP, or merely recommend changes as a condition of approval. Lori Okun explained that only recommendations can be made, but that the Regional Board can withhold approval of the SWMP until satisfactory revisions are made

Ms. Dunaway described Regional Board staff's recommended revisions to the MRSWMP as a condition of approval:

- 1. Require Attachment 4 design standards be applied to all entities except Toro Park and Del Rey Oaks
- 2. Include certain specific annual report language requirements.
- 3. Make other minor language revisions.

Mr. Daniels had several questions with regard to what is Maximum Extent Practicable, and concerns about vague language in the plan.

The main concerns raised by the Board members included the following:

ASBS Issues – staff described the ASBSs issue, ASBS enforcement options, and the decision to separate the ASBS enforcement from the MRSWMP approval in order to hasten processing

Dr. Press noted that by his count, 20 of 103 BMPs or Measurable Goals are to "develop plans". He expressed the desire to have those developmental processes done more rapidly than by the end of the

first year of the permit cycle. He made the following three recommendations:

1. With regard to local water quality data, the Group should say what numerical water quality values are and have the Group develop those and then come back with the MRSWMP with this in the document, at least to an initial level.
2. With regard to BMP 2.2.d-delete the \$500 funding level and just say "contribution" and see in the next annual report whether the amount contributed was sufficient to achieve the objective.
3. With regard to BMP 1.1.b-strike the term "and/or" at that location and elsewhere in the BMPs.

Jennifer Gonzalez, City of Monterey, elaborated on how some BMPs were selected for the MRSWMP. Mr. Daniels asked what the Group's concern was about implementing Attachment 4 requirements for all the entities. Ms. Gonzalez responded that many entities are already applying very similar measures under other programs or sets of requirements, but the language in Attachment 4 is very specific and differs somewhat from those other requirements, and thus does not exactly correspond with these other programs.

#### Public comment

Lorna Moffit - citizen. Sees inherent weaknesses in the program in that fertilizers, insecticides, pesticides, etc., on golf courses and parks are major contaminants. She recommended adding stronger language in these different subject areas and having the applicators pay for monitoring. John Hayashi asked about her concern with urea in fertilizers. Ms. Moffit responded that urea had been found in high concentrations in urban and agricultural runoff.

Jim Curland - Defenders of Wildlife, expressed concern that stormwater runoff contributes to animal disease and threatens marine life in general. Steve Leiker - City of Pacific Grove, spoke about the Pacific Grove ASBS issues. He said that at the State Board's suggestion, Pacific Grove is seeking an exception from the ASBS requirement. Nick Papadakis - Association of Monterey Bay Area Governments, reported that AMBAG had written a letter of support for adoption of the

MRSWMP and would like to see the plan put into action.

Tom Reeves - City of Monterey, objected to last minute changes to the Regional Board resolution and requested time for the MRSWMP group to consider these changes. Mr. Daniels suggested the Regional Board approve the resolution and then have the entities determine if they find the revisions to the resolution acceptable. Mr. Reeves indicated that would probably be acceptable, but could speak only for himself and not for the full Group. Mr. Jeffries asked the Regional Board staff if the Regional Board can require changes after an annual report has been submitted and reviewed. Ms. Okun responded yes.

A group of representatives from environmental organizations made a coordinated Power Point presentation. The following general comments were made:

Heather Allen (Friends of the Sea Otter) expressed concern about stormwater impacts on sea otters. She felt financial difficulties facing the entities were being used to avoid complying.

Sarah Newkirk (Ocean Conservancy) commented that she felt the MRSWMP was too vague, that the ASBS issues are not addressed, and that there are environmental, human health, and economic impacts associated with stormwater discharges.

Jane Delay (Save our Shores) expressed that lots of local businesses and persons commented in support of strong management plans.

Anjolie Jasewald (Natural Resources Defense Council attorney) made a lengthy presentation covering various issues and concerns she had with the MRSWMP

Linda Sheehan (California Coast Keeper Alliance) felt the MRSWMP was too unclear to use to solicit SRF, Clean Beach Bond, or Proposition 50 Chapter 8 funding for stormwater projects.

Paul Singarella (Legal Counsel representing Pebble Beach Company and Carmel) said that neither PBC nor Carmel is pulling out of the SWMP. He also sought direct SWRCB review of the ASBS discharge prohibition requirements, and noted that there will be a July or August workshop

in Monterey to review the Ocean Plan prohibitions. He also noted that the Regional Board does have the authority to interpret and apply the Porter Cologne Water Quality Act. The Porter Cologne Act requires development of reasonable programs to protect water quality, taking into account economic costs and benefits.

*Chris Coburn (Monterey Bay National Marine Sanctuary) said MBNMS's comments on the MRWSMP have been adequately addressed and complimented the Group on having developed a good plan. He indicated that MBNMS plans to monitor the fulfillment of commitments made in the MRSWMP.*

*(Chairman Young announced a break at 3:30 p.m. The meeting reconvened at 3:42 p.m.)*

**MOTION: Daniel Press moved to defer action on the MRSWMP and asked staff to bring the item back to the Board as soon as the development of the additional specificity and details could be completed. SECONDED by Bruce Daniels. CARRIED - (6-0) Monica Hunter and Gary Shallcross recused.**

**5. University of California, Santa Cruz, Santa Cruz County ..... Status Report**

Water Board staff prepared a staff report for this item and presented a map of the University of California Santa Cruz (UCSC) campus showing areas discussed in the staff report. Dan Blunk of UCSC, Dean Fitch of UCSC, and Jeff Nolan of Nolan Associates gave a fifteen-minute presentation about the campus history, hydrology, and geology. Don Stevens, Santa Cruz resident, gave a fifteen-minute presentation in which he described his concerns about water quality impacts

from University projects, and content of the University's draft Storm Water Management Plan. Board Members asked the speakers a few questions, and asked staff to review the 2005 Long Range Development Plan Draft Environmental Impact Report when it becomes available. As this was an informational item, the Board took no action.

*(Dr. Press left the meeting at 7:30 p.m.)*

**6. Public Forum ..... Board Direction**

The following individuals made comments:

Brian Foss, Santa Cruz Port District Manager– The District had problems at times with Hydrogen Sulfide emissions due to dredging. The District's goal this past year was to discharge offshore 90% of the time. They fell a little short of that goal but plan to do better this year to minimize nuisance problems.

Martha Glenn, Santa Cruz Harbor area resident – lives across the street from the dredge and she has had daily physical problems. Her doctor advised her to move out.

Jose Mendez, Plasterers & Cement Masons – discussed advantages of pervious concrete, which he installs. Some municipalities are embracing its use.

Richard Rivoir, Santa Cruz Harbor area resident – said he has been unable to live in his house for two years due to excessive air emissions from dredging. Eight neighbors have symptoms associated with emissions; two are diagnosed with hydrogen sulfide poisoning. He said he has pictures of clay balls coming out of the dredging pipe.

Chairman Young told Mr. Mendez of the Board's recent support for low impact development, including use of pervious materials and thanked him for discussing the issue with the Board.

Mr. Briggs addressed the Harbor dredging issues discussed earlier in the public forum. He said John Ricker of Santa Cruz County Environmental Health tested the clay balls for metals and they were close to background concentrations. Mr.

Ricker was present at the meeting and confirmed that finding. Mr. Briggs expressed sympathy for those who feel they are suffering health effects from the dredging and said the Regional Board staff is coordinating with all involved agencies, including the Harbor District, the Air Pollution

Control District, and County Environmental Health. Mr. Daniels asked about the status of the Regional Board's regulation of the site. Mr. Briggs described the Water Quality Certification process, which prescribes conditions that must be met for discharge of dredge spoils.

Chairman Young adjourned the public meeting at 7:50 p.m. The meeting will reconvene at 8:30 a.m. on May 13, 2005.

**Friday, May 13, 2005**

Chairman Young called the meeting of the Central Coast Regional Water Quality Control Board to order at 8:35 a.m. on May 13, 2005, at the Watsonville City Council Chambers, 250 Main Street, Watsonville, California.

**7. Roll Call**.....Executive Assistant Carol Hewitt

**Board Members Present:**

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

**Absent:** Don Villeneuve

**8. 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. Items 17 and 18 were removed from the

agenda. Supplemental sheets are as follows: Items 14, 19, 22, 24, and 33. Mr. Briggs introduced new and returning Board Members Monica Hunter and John Hayashi.

**9. Approval of March 24-25, 2005 Meeting Minutes** ..... Board Motion

**MOTION: Russell Jeffries moved to approve the March 24-25, 2005 meeting minutes. SECONDED by Daniel Press. CARRIED – Unanimously (8-0)**

**10. Special Recognition**..... Executive Officer Roger Briggs

A certificate acknowledging outstanding achievement was presented to the Monterey County Health Department, Hazardous Material Branch, for receiving the 2004 CUPA Environmental Leadership Award. Environmental

Health Division Chief, Mr. Allen Stroh, and Hazardous Materials Branch Supervisor, Mr. Bruce Welden, accepted the certificate, thanked the Water Board, and introduced several of their staff that contributed to this accomplishment.

**31. Public Forum**..... Board Direction

Lori Hobbs, Concerned Citizen – expressed concerns about destructive erosion and silt run-off on the DeLaveaga Golf Course and Arana Gulch. Board Member Jeffries asked Ms. Hobbs if she had suggestions about what could be done to alleviate the problem. Mr. Jeffries also stated that

the City of Santa Cruz should take some responsibility for the area. Mr. Briggs discussed funding possibilities for the area. He said there is some potential for a Supplemental Environmental Project in the future.

**11. Report by State Water Resources Control Board Liaison.....** Status Report

No report at this time.

**12. Uncontested Items Calendar.....** Board Motion

Items 19, 22, and 24 were pulled off the consent calendar for discussion.

**MOTION: Russell Jeffries moved to approve Items 20, 21, 23, 25, 26, 27, 28, 29, and 30 for the consent calendar. SECONDED by Daniel Press. CARRIED – Unanimously (8-0)**

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

The Board had no questions on this item.

**14. Spills, Leaks, Investigation, and Cleanup Cases.....** Status Report

Staff Water Resource Control Engineer Karyn Steckling provided an update to the Board on the Scotts Valley Dry Cleaners case. She discussed information presented in the Supplemental Sheet and the results of the May 11, 2005 meeting with all stakeholders. Ms. Jill Duerig, of Scotts Valley Water District, made comments to the Board confirming her resignation from the Water District and that Mr. Bill O'Brien would be the interim General Manager. Ms. Duerig expressed her desire that well-head treatment for the District's municipal well needed to be in place prior to summer operations. Ms. Duerig mentioned that

the District is working with the responsible parties to get this system online. Board Member Shallcross asked whether the responsible parties would be able to access funding through any state provided cleanup funds. Water Board counsel, Lori Okun, responded that the responsible parties are not eligible for any funding. Board Members Daniels and Jeffries expressed their desire for the responsible parties to take aggressive remedial action for this site and characterize the plume horizontally and vertically. Board Member Jeffries requested ongoing updates by Water Board staff on the status of this case.

**15. Perchlorate Cases.....** Status Report

Staff Water Resource Control Engineer, David Athey, gave a brief presentation on current activities related to the perchlorate plume from the Olin Corporation facility located at 425 Tennant Avenue, Morgan Hill. Mr. Athey mentioned that the State Water Board will be considering an Order on May 19, 2005, in response to Olin's petition of the Regional Board's replacement water Order. He indicated that the State Water Board's Draft Order

sets the perchlorate "trigger level" for replacement water at 6 ppb. This level is the public health goal established by the Office of Environmental Health Hazard Assessment. Mr. Athey also indicated that the Draft Order references a portion of the monitoring program, which was recently agreed to between Olin Corporation and Regional Water Board staff. Regional Board members mentioned their support of the proposed monitoring to ensure

that appropriate replacement water is provided. Mr. Athey indicated that the Llagas Sub-basin monitoring plan had been submitted by Olin Corporation, and that Regional Board staff had discussed initial concerns with Olin officials. Board Member Hayashi asked about progress being made. Mr. Athey explained that basin-wide

investigation is underway and that Olin Corporation will soon be submitting additional investigation and cleanup plans as required by Regional Water Board Order. Board Member Russ Jeffries indicated his support of the Regional Board staff position regarding replacement water for impacted groundwater users.

**16. Enforcement Report** ..... Status Report

Executive Officer Briggs briefly mentioned the status of enforcement action against the California Mens Colony and summarized the written description of recent State Board enforcement policy developments, including the draft enforcement plan. He also discussed our plan for focusing on enforcement in a more efficient manner. Mr. Briggs also mentioned a spreadsheet recently sent to each region listing chronic

violators. He said he would provide it for the Board but it would be more meaningful to include enforcement action status for each discharger. Chair Young requested a write-up in the next enforcement report describing regional inspection and sampling practices. Mr. Daniels said he thought that our enforcement, when necessary, should be aggressive and meaningful.

**17. Cambria Elementary School**.....Order No. R2-2005-0012  
[THIS ITEM WAS REMOVED FROM THE AGENDA AND DEFERRED TO THE JULY MEETING]

**18. De Laveaga Golf Course** .....Order No. R3-2005-0067  
[THIS ITEM WAS REMOVED FROM THE AGENDA AND DEFERRED TO THE JULY MEETING]

**31. Public Forum**..... Board Direction

Richard Hawley, Executive Director of Greenspace – The Cambria Land Trust – discussed a potential Supplemental Environmental project using funds from the pending enforcement action against the Cambria Elementary School (construction project). He asked the Regional Board to consider funding the Cambria Pine Forest Management Plan. He said the amount of money being considered by the Board would be a good

jump-start for this plan. Regional Board Counsel Lori Okun said the Cambria enforcement item was pulled off the agenda and postponed; there is no hearing on it today so the best method for the Board to receive information on this issue would be for Mr. Hawley to contact staff well before the July meeting and the school district. Ms. Okun pointed out that it's really up to the School District to propose a supplemental project.

**19. City of Santa Cruz Wastewater Treatment Plant, Santa Cruz County** .....Order No. R3-2005-0003

Mr. Daniels supported the permit's new requirement that the City conduct high-volume water sampling (HVWS) to monitor plant effluent for toxic bioaccumulative compounds for which the permit sets effluent limits below the detection limits attainable from a grab sample. Mr. Daniels said the Board should require HVWS monitoring for these highly toxic compounds throughout the

Central Coast Region. Mr. Higgins agreed with Mr. Daniels but requested time to allow more data to be gathered since results so far have been inconclusive and the sampling equipment is costly. Dr. Press said the Santa Cruz plant appeared to provide excellent treatment. Mr. Higgins agreed and identified some of the plant's features that contributed to the high level of treatment.

**22. Arthur Wilson Quarry, Aromas, San Benito County ..... Order No. 2005-0044**

Regional Board Counsel, Lori Okun, recommended changes be made to the May 11, 2005 supplemental sheet language regarding Finding R for the record to correctly reflect the rationale for establishing limits within the proposed Order.

Regional Board Staff Engineer, Matthew Keeling, summarized proposed changes to the proposed Order as stated in the two supplemental sheets to the Order.

Board Member Daniels questioned the significance of a dissolved or even total mercury effluent limit when methyl mercury is the species of concern with regard to mercury uptake and toxicity. Mr. Keeling agreed, but stated that there is currently no promulgated criterion for the evaluation and development of methyl mercury effluent limits, whereas the California Toxics Rule does contain a dissolved mercury criterion. Mr. Keeling also stated that the EPA has proposed a methyl mercury limit for fish tissue along with various strategies for translating the methyl mercury limit to water column and sediment mercury concentrations, but that making the correlation would be difficult without extensive fish tissue and water sampling.

Mr. Bruce Laclergue, Santa Cruz County Public Works Department Flood Control Program Manager, stated that the County strongly objects to allowing any controlled discharges to the Pajaro River at river flows above the DWR flood monitoring level. He stated the County is concerned about aging levees downstream of the discharge and would oppose any limit above the flood monitoring level. Mr. Laclergue indicated that there was very little travel time from Chittenden to Watsonville for the County to notify downstream areas of potential flooding, and that river flows measured at Chittenden do not reflect upstream peak flows from the upper reaches of the Pajaro and San Benito Rivers that haven't reached Chittenden yet.

Board Members Press, Daniels, Shallcross, and Chairman Young discussed the proposed discharge limit with regard to the formerly proposed limit of 6,004 MGD used for the South County Regional Wastewater Authority (SCRWA) discharge, the

discharge location, and what would be an acceptable Pajaro River flow discharge window. Mr. Shallcross questioned how often the River is at or above the flood warning level of 6,004 MGD, and Mr. Laclergue responded that flows above this limit occur two to three days every few years. Chairman Young questioned Mr. Laclergue as to whether it might be better to have a bigger discharge window to prevent releases above the actual flood stage. Mr. Laclergue again stated that the County did not recommend any controlled discharges above the flood monitoring level.

Mr. Aaron Johnston-Karas, Granite Rock, indicated that a bigger discharge window was required to prevent potential releases above flood stage. Mr. Johnston-Karas went on to discuss the negligible effects of the discharge at any Pajaro River flow above the flood warning level, how a bigger window will reduce the number of discharges and protect water quality, increased costs associated with having a lower Pajaro River flow limit, and that the facility's controlled discharge is less than what the storm water flows from the site would be under undeveloped conditions.

Mr. Daniels indicated the management of excess storage in the reservoir appeared inefficient and Chairman Young asked Mr. Johnston-Karas whether the facility drew down the reservoir prior to the wet season and had a protocol for excess storage. He responded yes. Dr. Press questioned whether more regular dredging of the reservoir would increase storage and at what cost. Mr. Johnston-Karas responded that they dredge as often as permissible by their Title V Federal Air Permit and that cost was not an issue.

Ms. Katharine Wagner, legal counsel for Granite Rock, discussed whether there was sufficient technical justification for establishing discharge limitations at high receiving water flows. Ms. Wagner objected to the Pajaro River flow prohibition on legal grounds and especially with regard to basing it on potential nuisance conditions because discharge flows would be less than the natural flow of storm water from the facility.



As previously questioned by Dr. Press, Mr. Roger Briggs asked if increasing the discharge flow rate above 9 MGD would better facilitate discharges below a lower Pajaro River flow limit. Mr. Keeling indicated that increasing the allowable discharge flow limit would make little difference since the need to discharge is based on whether the facility would exceed its storage capacity which would be more likely to occur at flows above the formerly proposed Pajaro River flow limit of 6,004 MGD. Mr. Keeling further stated that more frequent and regular discharges would need to occur in anticipation of significant storm events with a Pajaro River flow limit of 6,004 MGD regardless of the discharge flow rate.

and below the discharge point at Chittenden, emphasizing that the downstream portion of the watershed tributary to the Pajaro River between Chittenden and Corralitos Creek in Watsonville represents less than seven percent of the total watershed area upstream of Corralitos Creek. Mr. Keeling stated that any discharge flows occurring below the proposed Pajaro River flow level of 13,766 MGD as measured at Chittenden would likely reach the Pacific Ocean well before any peak flood flows traveling from upstream portions of the Pajaro and San Benito Rivers would reach Chittenden and not contribute to flooding.

Dr. Press indicated the County's argument against the limit is legal and not technical, and that he supports a higher limit. Mr. Shallcross suggests splitting the difference and proposed a Pajaro River flow limit of 9 MGD. Mr. Daniels also proposed splitting the difference. Mr. Jeffries stated that flooding is an important issue and that each discharge contributes to cumulative effects.

Dr. Press stated that he felt the incremental risk of the discharge contributing to flooding is small and questioned whether the effect of the lower flow prohibition outweighed the cost. Dr. Press proposed a Pajaro River flow limit prohibition of 13,000 MGD. Mr. Daniels indicated the number was too high and again proposed splitting the difference. Mr. Johnston-Karas stated that splitting the number was not justified and Mr. Shallcross indicated his support of Dr. Press' recommendation of 13,000 MGD. Mr. Laclergue again expressed his opposition to any controlled release above the flood warning level of 6,004 MGD.

Mr. Keeling presented an overhead of the Pajaro River watershed and discussed the relative watershed contributions to the Pajaro River above

**MOTION: Dr. Press moved to change the limit to 13,000 MGD and adopt the permit. SECONDED by John Hayashi. Ms. Okun recommended adding changes to finding R reflecting the Discharger's testimony regarding cost. CARRIED – (7-2) Daniels and Jeffries voted no.**

**24. City of Soledad Wastewater Treatment Plant, Monterey County .....Order No. R3-2005-0074**

Supervising Engineer, Harvey Packard, reviewed several comments received since the agenda was mailed, including an email from Kathryn Price of the California Department of Corrections and a letter from Michael D. Cling, attorney for an owner of land adjacent to the prison wastewater treatment plant.

Jerry Olmstead of the California Department of Corrections addressed the Board regarding statements in the staff report about differences between readings taken from the City's flow meter and the prison's. Staff Counsel, Lori Okun, stated that no revisions of the staff report were necessary and that Mr. Olmstead's comments are included in the record.

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

Chairman Young reported that he attended the Chairs' Meeting in San Diego on April 27. He also noted that the California Performance Review is off the table right now. Mr. Young also

discussed pending legislation. Fees from agricultural waiver permits and budget issues were also discussed.

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

Mr. Briggs reported that the Certification Table has improved descriptions. Also, the Ventana Inn has made improvements on their wastewater system and hired two new operators. Mr. Briggs noted the Storm Water Management Plan process update that Jennifer Bitting has been providing. The Board asked Mr. Briggs to check on progress of the Phase II communities that do not seem to be making very rapid headway toward an approved Stormwater Management Plan.

Chairman Young adjourned the public meeting at 2:30 p.m.

The meeting was audio recorded and the minutes were reviewed by management, and approved by the Board at its July 7-8 2005 meeting in San Luis Obispo, California.

  
Jeffrey Young, Chairman

H/ALLMYDOCS/BOARD MINUTES/MAY05mins/carol