STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF MAY 10-11, 2007
Prepared on April 12, 2007

ITEM NUMBER: **27**

SUBJECT: **Executive Officer's Report to the Board**

This item presents a brief discussion of issues that may interest the Board. Upon request, staff can provide more detailed information about any particular item.

WATER QUALITY CERTIFICATIONS
[Dominic Roques 805/542-4780]

In general, staff recommends "Standard Certification" when the applicant proposes adequate mitigation. Measures included in the application must ensure that beneficial uses will be protected, and water quality standards will be met.

Conditional Certification is appropriate when a project may adversely impact surface water quality. Conditions allow the project to proceed under an Army Corps permit, while upholding water quality standards.

Staff will recommend "No Action" when no discharge or adverse impacts are expected. Generally, a project must provide beneficial use and habitat enhancement for no action to be taken by the Regional Board. A chart on the following pages lists applications received from March 1, 2007, to April 1, 2007.

WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED FROM MARCH 1, 2007 THROUGH APRIL 1, 2007

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage[1]	Mitigation[2]	Certified
Greenspace, The Cambria Land Trust	Santa Rosa Creek and Ferrasci Road Fish Passage	The demolition of an existing Arizona-style low water crossing structure for the construction of a concrete box girder bridge which will enable vehicle crossing and enhance fish passage.	Cambria	San Luis Obispo	Santa Rosa Creek	1		
Camp San Luis	Kilo Road Drainage Improvement Project	The installation of 3 armored crossings, and the replacement of 1 culvert, which will reduce potential sedimentation delivery to Chorro Creek.	Camp San Luis	San Luis Obispo	Chorro Creek	0.039		

[1] Total Acreage includes both temporary and permanent impacts to riparian, streambed, and/or wetland environments within federal jurisdiction.

[2] Mitigation acres are reported only for Certified projects. Water Board compensatory mitigation requirements are determined based on area impacted. They are generally 1:1 for streambed impacts, 2:1 for riparian impacts, and 3:1 for wetland impacts. Mitigation acreage is final upon issuance of certification and not shown unless the Water Board has issued certification.

WATERSHED REPORTS

Stormwater Municipal General Permit [Ryan Lodge 805/549-3506]

Water Board staff met with representatives from the City of Paso Robles on March 9, 2007, and again on April 4, 2007 to discuss compliance with the General Permit. We sent two Notices of Violation to the City of Paso Robles in recent months, and the City recently hired a consultant to help them come into compliance with their stormwater management program (SWMP). If the City does not make progress toward compliance in a reasonable timeframe, staff will pursue additional enforcement action.

City of Santa Barbara submitted a revised stormwater management program (SWMP) in response to a review letter sent by Water Board staff. We are reviewing the revised SWMP now.

Water Board staff reviewed Carpinteria Unified School District's (CUSD) revised annual report submitted in response to a review letter we sent on December 15, 2006. Water Board staff sent a second comment letter on April 11, 2007 in response to the revised CUSD annual report. Cal Poly State University also submitted a second draft SWMP in response to a review letter sent by Water Board staff.

Water Board staff is currently drafting a letter to all non-traditional MS4s providing them with an update of our SWMP review process. The Central Coast Water Board's website has been updated to include SWMPs and related documents for all MS4s currently covered under the Municipal General Permit. For further details please see:

http://www.swrcb.ca.gov/rwqcb3/stormwater/municipal/municipal_index.htm

The current status of the Region's Phase II SWMP review is shown in Attachment B.

[See Attachment A]

CLEANUP REPORTS

Underground Tanks Summary Report dated March 30, 2007 [Burton Chadwick 805/542-4786]

[See Attachment B]

REGIONAL REPORTS

Regional Monitoring Report [Karen Worcester 805/549-3333]

The Central Coast Ambient Monitoring Program (CCAMP) is completing its busiest field season of the year. We have finished monitoring 21 bioassessment sites in the Santa

Maria watershed and at a number of coastal confluence sites. We also sampled wet season water column toxicity in both the Salinas and Santa Maria watersheds.

Highlights from toxicity sampling: In the Salinas watershed, toxicity to *Ceriodaphnia* (a water flea that is particularly sensitive to organophosphate pesticides) was widespread at Atascadero Creek, Quail Creek, Salinas River at Chualar Bridge and at Greenfield, Tembladero Slough in Castroville, the Salinas Reclamation Canal at Airport Road and at the downstream Salinas City limit, and the City's storm drain at Airport Road. Fathead minnow toxicity was observed on the Salinas River at Chualar Bridge and at Greenfield. In the Santa Maria watershed, preliminary results again show widespread toxicity to *Ceriodaphnia* and also to *Selenastrum* (an alga) throughout the lower watershed. We also found 100% fathead minnow toxicity and very high ammonia concentrations at two locations on Main Street Ditch, including one location where the City of Santa Maria discharges stormwater. These findings have been relayed to storm water staff working with both the Cities of Santa Maria and Salinas. Our toxicity findings are also relatively consistent with those found by the Cooperative Monitoring Program for Agriculture. The Cooperative Monitoring Program for Agriculture has made water column toxicity its highest priority for program follow-up.

CCAMP has developed a web-based data delivery and checking system that has been used both by CCAMP and the Central Coast Cooperative Program for Agriculture to deliver data in a "SWAMP compatible" format. We are also using similar web data delivery pages for a number of grant projects in our Region. State Board grant language requires electronic delivery of data in a SWAMP compatible format, but little guidance or support is available to ensure that this requirement is met. State Board management requested that Dave Paradies, Karen Worcester, and Rusty Fairey (data manager for SWAMP) meet on April 17th to present the CCAMP approach as a mechanism for meeting this data delivery requirement. We have prepared cost estimates and a concept paper for their consideration. Our involvement in this will ultimately benefit CCAMP and Region 3 because we currently lack a way to "institutionalize" support for this system. If we can get the State Board to staff a "help desk" and software manager for this effort, we can shift some of our Regional burden to these staff.

Karen Worcester has participated in several design workshops held by SWAMP to develop a statewide aquatic life monitoring program. These meetings have been chaired by Terry Fleming of EPA, and have primarily been focused on use of a probability-based design to assess the five primary eco-regions within the State (including a Central Coast eco-region). This design provides answers to questions like, "what percent of the eco-region (or state) is impaired"? This data is useful for making policy decisions, but is less useful at a local level for supporting management decisions or 303(d) listing. Many Regions want to integrate long-term trend monitoring sites into the state-wide design. State Board SWAMP staff has indicated that discretionary SWAMP funding for Regions will likely become less available, and that regional monitoring activities may be required to fit as a component of a statewide design. Karen Worcester is chairing a sub-committee to develop recommendations as to how long-term trend sites (or "integrator sites") can be integrated with a probability-based design. We have developed a straw man proposal, and will present it at the May

SWAMP meeting for consideration. The proposed design also directly supports our measurable goal that "80% of aquatic habitat is healthy and the other 20% is getting healthier."

The CCAMP program received $95,000 from the Cleanup and Abatement Fund on February 16 for adding E. coli O157:H7 monitoring into the CCAMP sampling suite. After meeting with other staff and reviewing our various options for integrating this sampling with our programs, we have agreed that the most cost effective and reliable way to proceed is to work in partnership with the Department of Health Services (DHS) laboratory staff. DHS will conduct the sample analysis if we purchase the supplies needed for their laboratory use. We will be using a time integrating technique which will require that an additional round of field site visits be conducted at our monitoring sites to deploy the sampling device. DHS uses a number of verification steps that will give us much more reliable results than the other options we have considered. However, the DHS laboratory capacity is limited to 30 samples per month. Consequently, we will begin the sampling effort at our coastal confluence sites to screen broadly for presence of this pathogen in our Region. Sampling will begin in July.

The Central Coast Long-Term Environmental Assessment Network (CCLEAN) is the regional monitoring program being implemented by major ocean dischargers in the Monterey Bay area. CCLEAN completed its five year report and submitted it for peer review to Dr. Brock Bernstein. Dr. Bernstein submitted his review in early April. Because several of the initial objectives of the program have been met, Dr. Bernstein has recommended that the program reevaluate the objectives for the next five years, and refocus the program as appropriate. For example, he has recommended that the program broaden its base and bring in new partners, and that it consider investigating emerging contaminants of concern. Several of the point source dischargers have expressed that they should not be funding monitoring of river mouths, where sources of contaminants are from agricultural and urban discharges. In general, staff agrees with this, and will work to integrate other monitoring activities, including ASBS monitoring and stormwater monitoring, as appropriate. Dane Hardin, CCLEAN program director, and Karen Worcester have met twice with Dominic Gregorio of the State Board Ocean Standards Unit to discuss an approach to integration of ASBS monitoring with CCLEAN. Karen Worcester is participating on a statewide technical advisory committee for development of periphyton bioassessment as a monitoring and assessment tool. Periphyton are the algal assemblages found growing on hard substrate in stream bottoms. Two grants, totaling over $2 million, are focused on this topic over the next several years, and we can expect to gain new tools for assessing impairment associated with nutrient overenrichment. These grant programs will also test the performance of the new Numeric Nutrient Endpoints recently released by Tetratech.

A new project is being initiated on the Central Coast to characterize the relationship between in-stream sedimentation and benthic invertebrate assemblages. This project is funded by the TMDL program. David Herbst, working out of the Sierra Nevada Aquatic Research Laboratory, has already initiated work on this relationship in the Lahontan Region, and is testing the relationship in our Region. This work will allow us to utilize benthic invertebrate assemblages as a monitoring tool that is tailored for sediment

impacts and directly related to beneficial use impairment. Site selection and monitoring are underway this spring.

Total Maximum Daily Loads Report [Lisa Horowitz McCann 805/549-3132]

USEPA is currently considering the following TMDLs for approval:

- Chorro Creek Nutrient TMDL
- Watsonville Sloughs Pathogens TMDLs
- Pajaro River Sediment TMDLs

Staff will continue to work on the following TMDL tasks or reports:

- Aptos and Valencia Creeks Pathogen TMDLs- Draft Project Report
- Corralitos Creek Pathogen TMDL- Draft Project Report
- Pajaro River and Tributaries Pathogen TMDL- Data Collection and Analysis Report; Preliminary Project Report
- Salinas River Pathogens TMDL- Draft Project Report
- Salinas River Pesticides TMDLs –Draft Project Report
- San Lorenzo River and Estuary TMDLs (including Carbonera Creek) Pathogen TMDL- Draft Project Report
- Soquel Lagoon Pathogen TMDL- Draft Project Report
- Watsonville Sloughs Pesticides TMDL- Draft Project Report

Staff is advancing all of the projects listed above towards development and/or approval of a TMDL, although several of these projects have fallen behind schedule. TMDL Program Staff reevaluated sources of pollution and regulatory options for the pathogen TMDLs for consistency with the State Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program and in response to the *E. coli* outbreak. As such, staff will bring recommendations for these TMDLs to the Central Coast Water Board February-May 2008, rather than February-May, 2007, as originally planned. In addition, some staff have taken leave unexpectedly to deal with family emergencies delaying a few additional projects.

Staff will initiate the following new TMDL investigations in the remaining months of this fiscal year. Staff will prepare project plans for these projects to determine whether we should develop TMDLs or recommend other options for resolving these impairments.

- Elkhorn Slough Bacteria and Pesticides
- Santa Barbara Beaches Bacteria
- Santa Maria River Estuary Pesticides
- Santa Ynez River Nitrate

Staff has initiated the following TMDL implementation this fiscal year. Some of these projects still depend on budget or grant project approval to complete the implementation tasks, but staff is confident we will be able to initiate most of this work.

- Los Osos Creek Nutrient TMDL- Numeric Target Monitoring
- Morro Bay Sediment TMDL- Numeric Target Monitoring
- Pajaro River Sediment TMDL- Outreach and Notification to Nonpoint Source Dischargers (owners of rural properties, roads, grazed lands and hydromodification activities) and Sand and Gravel Mining Operations; Numeric Target Monitoring
- San Lorenzo River Sediment TMDL- Numeric Target Monitoring

Staff will also review and respond to status of implementation actions in the following approved TMDL implementation plans:

- Clear Creek and Hernandez Reservoir Mercury TMDLs
- Morro Bay Pathogen TMDL
- Morro Bay Sediment TMDL
- San Lorenzo River Sediment TMDL

Grant Projects [Angela Schroeter 805/542-4644]

The Central Coast Water Board oversees several active grant projects totaling $29.6 million. Attachment A is a spreadsheet that lists all active grant projects managed by the Central Coast Water Board. This list does not include Central Coast grants that are managed by the State Water Board, such as Clean Beaches, Small Community Wastewater, or Proposition 13 Water Recycling grants. **[See Attachment C]**

Supplemental Environmental Projects [Michael Thomas 805/542-4623]

At a previous meeting, the Board asked for status information on our Supplemental Environmental Projects (SEPs). The State Water Board's Enforcement Policy provides responsible parties the option of doing SEPs in lieu of paying administrative civil liabilities for violations of Board orders. The SEPs must meet criteria defined in the Enforcement Policy. Staff is drafting a spreadsheet that lists our SEPs and their status, and will send it via e-mail to the Board members as soon as possible.

ADMINISTRATIVE REPORTS

Presentations and Training [Roger Briggs 805/549-3140]

Lisa Horowitz McCann and Chris Rose made a presentation to ranchers at a seminar sponsored by the Central Coast Agricultural Task Force. The seminar was in Salinas on April 16, 2007. Lisa described staff's plan to evaluate whether a regionwide regulatory program should be established for grazing and other livestock operations. Chris presented the status and results of the Salinas River Pathogen TMDL impairment and source investigations.

Cleanup Program staff Thea Tryon, Engineering Geologist, attended the Water Board Academy's *Making the Transition to Supervisor* class in Riverside on April 3, 2007.

Mary Adams hired and trained two new field samplers to help conduct our annual bioassessment monitoring for benthic invertebrates. She also attended a SWAMP bioassessment field training, and is working with the California Department of Fish and Game Bioassessment lead to coordinate a statewide training in May.

Mary Adams and Karen Worcester attended a State Board training for utilizing the 303(d) Listing Policy to list or de-list waters from the 303(d) list. Mary has begun gathering and formatting data from multiple sources for evaluation over the next several months.

Karen Worcester gave a presentation on funding options for researchers and others involved in sea otter disease issues, at the Monterey Bay Aquarium on 3/26. Other key funding agencies were also represented, including the State Water Board, the Coastal Conservancy, the Ocean Protection Council, and the Coastal Commission. Though recent legislation established an income tax check off for funding research, basic sustaining funding for state laboratories is still not stable. Large sums of funding are available through Proposition 84; the purpose of this workshop was to determine what kinds of programs were in need of funds and what kinds of funding mechanisms were available to sustain them.

ATTACHMENTS

A. Phase II SWMP Review
B. Underground Tanks Summary Report dated March 30, 2007
C. Central Coast Grants Spreadsheet

H/ALLMYDOCS/EO Report/EOrptMAY07/carol