STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF MARCH 23, 2007
Prepared on February 27, 2007

ITEM NUMBER: **20**

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 January 1, 2007, to February 28, 2007.

WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED FROM JANUARY 1, 2007 THROUGH FEBRUARY 28, 2007

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage[1]	Mitigation[2]	Certified
Southern California Gas Company	Salisbury Canyon Wash-Bore	Replace an existing 4-inch PE gas line with a new line to be installed using a directional bore under the Salisbury Canyon Wash at a 10-foot depth.	New Cuyama	Santa Barbara	Salisbury Canyon Wash	0.2		
County of San Luis Obispo Department of Public Works	Santa Rosa Creek Road Bank Stabilizatio n	Stabilization of a 60-foot long segment of the bank of Rocky Creek. Involves the removal of debris in the creek, installation of layered strata for a 0.5:1 slope, and placement of 540 tons of RSP.	Paso Robles	San Luis Obispo	Rocky Creek	0.006		
County of San Luis Obispo Department of Public Works	Olde Towne Nipomo Culverts Project	Increasing the capacity of five culverts to accommodate 25-year storm flows.	Nipomo	San Luis Obispo	Haystack Creek and Hermrick Creek	0.1379		
Santa Barbara County Parks	Toro Canyon County Park 2005 Storm Repairs	Repair of cinder block wingwall and cement-sandbag wall	Summerland	Santa Barbara	Tributary to Arroyo Paredon Creek	0.01		

[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.

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage[1]	Mitigation[2]	Certified
Caltrans	Route 46 Corridor Improvement Project	Creation of an additional lane of travel in each direction (east-west), installation of a median, improving paved shoulder widths, and left-turn channelization at all public road intersections w/in project limits.	Unincorporated	San Luis Obispo	Huer Huero Creek, Dry Creek, Estrella River, Pine Creek, Shimmin Canyon, McMillan Canyon, Cholame Creek, and White Canyon	7.97		
California State Parks	Storm Drainage Culvert Installation	Removal of the existing CMP culvert, installation of a new CMPA culvert and RSP at inlet/outlet, and replacement of four drainage inlet structures.	Capitola	Santa Cruz	Tannery Gulch	0.025		
State of California Department of General Services	California Men's Colony Potable Water Distribution Upgrade	The upgrade of the existing water distribution system, involving the construction of pipe bridges and trenches over various creeks and through a seasonal wetland.	Camp San Luis Obispo and California Men's Colony	San Luis Obispo	Chorro Creek, Dairy Creek, and unnamed tributaries to Chorro Creek	0.83		
County of Santa Cruz	Gold Gulch Culvert Replacement and Fish Passage Improvement	Replacing an existing old and undersized 8 ft. diameter CMP culvert with a natural rock bottom open arch culvert.	Felton	Santa Cruz	Gold Gulch Tributary to San Lorenzo River Watershed			

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage[1]	Mitigation[2]	Certified
Kambiz Hakim	797 Ashley Road Habitat Restoration / Mitigation Plan	The relocation of an unauthorized boulder relocation as requested by the DFG, and the mitigation at a 5:1 ratio to compensate for unpermitted cut-slope activities.	Montecito	Santa Barbara	Cold Springs Creek	0.0004		
Mark Dettle, City of Santa Cruz Public Works Department	San Lorenzo River Bicycle-Pedestrian Bridge	Construction of a haunched arch, single span, cast-in-place free-span bicycle/pedestrian bridge over San Lorenzo River.	Santa Cruz	Santa Cruz	San Lorenzo River	0.07		
University of California, Santa Barbara	UCSB North Campus Faculty Housing Project	Construction of a new bridge over Devereux Creek to replace the existing 36-inch concrete culvert. The new bridge will be 26 feet wide, 42 feet long, with a 7-foot opening from the creek bed to the bridge bottom.	Goleta	Santa Barbara	Devereux Slough, Devereux Creek	0.042		
Federal Highway Administration Central Federal Lands	CA ERFO 1 (1) Los Padres National Forest, Route 5N18	Repairing four concrete low water stream crossing sites on USDA Forest Service Road.	Los Padres National Forest	Santa Barbara	Santa Ynez River	0.534		
Santa Barbara County Parks	Live Oak Camp 2005 Storm Repairs	The removal of the existing damaged gabion baskets and the installation of vegetated riprap, erosion control blanket and hydroseeding in the damaged area.	Cachuma Lake	Santa Barbara	Santa Ynez River	0.01		

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage[1]	Mitigation[2]	Certified
Jim Reed	Beaver Springs Industrial Park	Create a building pad for industrial commercial development by draining and filling a portion of a beaver pond wetland and riparian area.	Paso Robles	San Luis Obispo	Salinas River	0.555		

WATERSHED REPORTS

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

Water Board staff issued Notices of Violation (NOV) to the City of Monterey on January 17, 2007, and Pacific Grove on February 8, 2007, for failing to adopt storm water ordinances within the time period outlined in the Monterey Regional Storm Water Management Program (MRSWMP). Water Board staff issued NOVs on February 8, 2007, to Marina, Seaside, Sand City, and Del Rey Oaks for failing to respond to a December 8, 2006 request for information regarding storm water ordinance adoption.

Water Board staff issued a letter to the City of Paso Robles on February 8, 2007, stating that the City's response to Water Board staff's December 12, 2006 request for additional information was not adequate. Water Board staff has referred the case to the enforcement unit for additional enforcement.

Water Board staff sent a second SWMP review comment letter to San Luis Coastal Unified School District (SLOCUSD) on February 5, 2007.

The current status of the Region's Phase II SWMP review is shown in **[Attachment A]**.

CLEANUP REPORTS

Underground Tanks Summary Report dated February 7, 2007 [Burton Chadwick 805/542-4786]

[See Attachment B]

REGIONAL REPORTS

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

Staff recently completed the following TMDL tasks or reports:

- Salinas River Nutrient TMDL- Postponement (see discussion below)
- Santa Maria River and Oso Flaco Creek Bacteria TMDL- Draft Project Report
- Santa Maria River and Oso Flaco Creek Nitrate TMDL- Final Preliminary Project Report
- Santa Maria River Pesticides TMDL- Project Charter/ Project Definition

USEPA recently approved the following TMDL:

- San Luis Obispo Creek Nitrate TMDL

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.

Regarding the Salinas River Nutrient TMDL, staff concluded that irrigated agriculture is the single source resulting in the exceedance of water quality objectives related to nitrate and un-ionized ammonia. Also, the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands should ensure that "discharges [from irrigated lands] are not causing or contributing to exceedances of any Regional, State, or Federal numeric or narrative water quality standard." As such, if the goals of the Agricultural Waiver are achieved, the impairments to the water bodies in the Salinas River watershed will be resolved. Therefore, staff postponed the Salinas River Nutrient TMDL.

Water Board staff will assess whether and when to continue preparation for approval of the Salinas River Nutrient TMDL at one or more of the following junctures: during TMDL Program review at the end of the fiscal year (June 2007); during, or resulting from, evaluations of compliance with the Agricultural Waiver (anticipated January 2008); during, or resulting from, the assessment to renew the Agricultural Waiver (July 2009). The Clean Water Act, 303(d) List of Water Quality Limited Segments (Impaired Waters List) includes a subset of water bodies designated as "Water Quality Segments Being Addressed by Other Actions than TMDLs." Staff may recommend that the Salinas nutrient-related listings in the project area be placed on this subset during the 2008 Update to the Impaired Waters List.

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

Staff has initiated the following TMDL implementation work 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 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

State Board and Water Board staff initiated the process to update the Impaired Waters List in November 2006 by sending a data solicitation letter to stakeholders. We requested that stakeholders provide data and information to us by the end of February 2007 so staff has adequate time to evaluate the data and develop recommended changes to the current Impaired Waters List. These recommendations will be presented to the Central Coast Water Board for consideration in October 2007. The 2008 Impaired Waters List will be presented to the State Board in April 2008.

ADMINISTRATIVE REPORTS

Presentations and Training [Michael Thomas 805/542-4623]

On January 30-31, 2007, Engineering Geologist Tom Sayles attended a Contaminant Forensics Course in Sacramento presented by Northwest Environmental Training Center. The course included techniques used in Forensic Geochemistry to determine contaminant sources, and to determine the age of contaminant plumes.

Lisa Horowitz McCann made a presentation to ranchers at a seminar sponsored by the San Luis Obispo and Santa Barbara Agricultural Watershed Coalition and the Coastal San Luis Resource Conservation District. The seminar was in Guadalupe on January 30, 2007 and again in Morro Bay on January 31, 2007, Lisa described the Water Board staff plans to evaluate whether a regionwide regulatory program should be established for grazing and other livestock operations. Lisa made similar presentations to the San Luis Obispo County Cattlemen's Association Spring Meeting in Paso Robles on February 8, 2007, and to the Monterey County Cattlemen's Association in King City on February 9, 2007.

Chris Rose presented the status and results of the Salinas River Pathogen TMDL impairment and source investigations to the Monterey County Cattlemen's Association in King City on February 9, 2007.

Staff members Brandon Sanderson, Todd Stanley, Stacy Denney, Chris Adair, Carol Hewitt, Cyndee Jones, and Shanta Keeling attended a website

development class entitled *Advanced Dreamweaver 8* on February 15, 2007 at Software Solutions in San Luis Obispo.

ATTACHMENTS

A. Phase II SWMP Review
B. Underground Tanks Summary Report dated February 7, 2007

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