

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF MAY 22-23, 2014
Prepared on April 10, 2014

ITEM NUMBER: 19

SUBJECT: Executive Officer's Report to the Board

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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 [Kim Sanders 805/542-4771]

The tables on the following pages list applications received and certifications issued from December 11, 2013 – March 26, 2014

401 Water Quality Certification Applications Received December 11, 2013 – March 26, 2014.

| Applicant | Date Received | Project Title | Project Purpose | Location | County | Receiving Water | Total Impact ¹ | Status |
|---|---------------|---|--|--|-----------------|--|---------------------------|--------------------|
| County of San Luis Obispo, General Services Agency - Machelie Vieux | 12/11/13 | Cayucos Pier Repair and Maintenance Project | To permanently rehabilitate the Cayucos Pier so that it can continue to function safely as a recreational resource for the community of Cayucos and its visitors. | Cayucos | San Luis Obispo | Pacific Ocean | 0.119 ac | Under Staff Review |
| City Ventures - Phil Kerr | 12/11/13 | Del Monte-Blackwell Planned Development Subdivision Project | To construct 42 single-family homes as well as connect roads that are currently surrounding the Del Monte-Blackwell Planned Development Subdivision site in order to allow for ingress and egress to the location. | Morgan Hill | Santa Clara | An unnamed stormwater drainage ditch that ephemerally drains to West Little Llagas Creek | 648 linear feet | Under Staff Review |
| Freeport-McMoRan Oil and Gas - Michelle Gibbs | 12/16/13 | Hyla Crossing Replacement Project | To replace a damaged culvert road crossing in Pismo Creek with a bridge in order to allow for all-season vehicle access across the creek while restoring and maintaining fish passage. | 3.5 miles north-northeast of Pismo Beach | San Luis Obispo | Pismo Creek | 0.94 ac | Withdrawn |
| Zanker Road Resource Management, Ltd. - Greg Ryan | 12/17/13 | Z-Best Composting Facility Storm Drain Outfall Construction | To increase operational efficiencies at Z-Best Composting Facility by expanding the final processing and finishing operations into the 80-acre parcel to the east of the current operation, in addition to building a detention pond with a storm drain outfall that will drain into riparian woodland adjacent to the Pajaro River. | 5 miles southeast of Gilroy | Santa Clara | Pajaro River | 0.065 ac | Under Staff Review |

| Applicant | Date Received | Project Title | Project Purpose | Location | County | Receiving Water | Total Impact ¹ | Status |
|---|---------------|--|--|--|-----------------|---|---------------------------|------------------------|
| Caltrans - Larry Bonner | 2/21/2014 | Highway 246 Passing Lanes Project | To improve mainline operations and safety by providing safer passing opportunities and increased sight distance, and reducing potential turn conflicts along Highway 246. | East of Lompoc/ West of Buellton | Santa Barbara | 2 unnamed tributaries to Santa Ynez River | 0.37 acre | Under Staff Review |
| White Rock Club - William G Dorey, President | 3/3/2014 | White Rock Lake Maintenance Project | To perform annual maintenance dredging of White Rock Lake associated with sediment build up while concurrently enhancing wetland and riparian areas. | Carmel | Monterey | White Rock Lake, Black Rock Creek | 1.055 acres | Under Staff Review |
| 215 Bridge Street, LLC - Seth McCormick | 3/4/2014 | Tract 2560 Phase II, 215 Bridge Street | To provide access from Bridge Street to the future 19 lot residential and commercial planned development. | San Luis Obispo | San Luis Obispo | Meadow Creek, unnamed tributary to Meadow Creek, & tributary to San Luis Obispo Creek | 0.02 acre | Under Staff Review |
| San Benito County Department of Public Works - Arman Nazemi | 3/10/2014 | Old Hernandez Road at San Benito River Low Water Crossing and Road Restoration | To restore the low water crossing to allow safe passage across the river during the dry season and low flow periods. | Unincorporated San Benito County | San Benito | San Benito River | 0.15 acre | Incomplete Application |
| Merced Hospitality, Inc. - Anatol Shliapnikoff | 3/12/2014 | Westgate Development Project | To fill wetlands to provide access and an area topographically suitable for the proposed commercial development. | Watsonville | Santa Cruz | West Branch of Struve Slough | 0.270 acre | Under Staff Review |
| UCP Santa Ana Hollister, LLC. - Michael Cady | 3/17/2014 | Santa Ana Road Widening / Culvert Extension | To widen Santa Ana road as required by the City of Hollister and extend culverts required by FEMA to address projected 100 year storm event. | Hollister | San Benito | Unnamed Tributary to Santa Ana Creek | 0.03 acre | Under Staff Review |
| Freeport-McMoRan Oil and Gas - Michelle Gibbs | 3/17/2014 | Hyla Crossing Replacement Project | To replace a damaged culvert road crossing in Pismo Creek with a bridge in order to allow for all-season vehicle access across the creek while restoring and maintaining fish passage. | 3.5 miles north-northeast of Pismo Beach | San Luis Obispo | Pismo Creek | 0.94 acre | Under Staff Review |
| Pacific Gas and Electric Company - Nick Starkey | 3/18/2014 | L181B Fault Betterment Project | To reinforce stability and reliability of the gas transmission line across an existing geological fault. | Aromas | San Benito | Unnamed tributary to Anzar Lake | 0.0103 acre | Incomplete Application |

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

Groundwater Protection Section Case Closures [John Robertson 805/542-4630]

Table 3 lists the closure performance for the Underground Tank and Site Cleanup Programs from July 1, 2013, through April 20, 2014. Table 4 lists the individual sites closed since the start of the fiscal year.]

General Order and Waiver Enrollments [Harvey Packard 805/542-4639]

Table 5 lists the enrollments under various State-wide and Central Coast Region general orders and waivers. The table also includes enrollment dates and the staff contact for each enrollee.

Irrigated Lands Regulatory Program Update [Angela Schroeter 805/542-4644]

The following information is to update the Board regarding implementation of Agricultural Order No:R3-2012-0011. Specifically, this update provides information on the status of the following activities: annual compliance form reporting, nitrogen reporting requirements, cooperative groundwater monitoring, drinking water notifications, and related grant opportunities.

Nitrogen Reporting for Tier 2 and Tier 3 Farms

- The State Order upheld requirements for growers with Tier 2 and Tier 3 farms that have a high groundwater nitrate loading risk determination to report total nitrogen applied by October 1, 2014.
- Staff is coordinating with certified crop advisors, technical assistance providers, agricultural industry representatives and consultants, and growers to develop the total nitrogen reporting format in anticipation of reporting requirements.
- Staff participated in a March 4, 2014 Certified Crop Advisor Nutrient Management Training in Salinas, CA convened by the California Department of Food and Agriculture.
- Staff is considering input received from the agricultural community to finalize the nitrogen reporting format and associated nitrogen record-keeping tools for growers.
- State Board has initiated efforts to convene an Expert Panel to evaluate nitrogen related requirements in the Agricultural Order. Staff plans to participate in this effort as part of the Advisory Committee to the Expert Panel. If the Expert Panel determines that modifications to the implementation of the Agricultural Order are necessary, staff will coordinate with State Board staff to consider the appropriate adjustments.

Drinking Water Notifications

- Based on results of individual groundwater monitoring, staff continues to issue "Drinking Water Notification" letters to those growers and landowners whose domestic water supply wells exceed the drinking water standard for nitrate or nitrogen.
- As of March 28, 2014, the Water Board has issued approximately 68 drinking water notification letters to growers and landowners who have one or more domestic drinking water wells which exceed the drinking water standard – some farms/ranches have multiple groundwater wells with exceedances.

Cooperative Groundwater Monitoring - Central Coast Groundwater Coalition

- Staff continues to coordinate closely with the Central Coast Groundwater Coalition (CCGC) to implement cooperative groundwater monitoring program requirements. The CCGC issues drinking water notification letters for growers and landowners who are CCGC members.
- As of March 28, 2014, the CCGC issued approximately 75 drinking water notification letters to growers and landowners who have one or more domestic drinking water wells which exceed the drinking water standard.
- CCGC requested to further discuss the best ways to improve drinking water notification procedures following discussion at the January 2014 Board meeting and subsequently with staff. CCGC will propose potential modifications to the drinking water notification procedures to be discussed in a Board agenda item for the July 2014 Board meeting in Santa Barbara.

Safe Drinking Water Project Grant Opportunity

- Staff recently released a Request for Proposals to implement a Safe Drinking Water grant project. Submissions are due May 1, 2014.
- The primary purpose of the grant project is to provide interim safe drinking water to individuals and small communities in agricultural areas affected by nitrate pollution from fertilizers.
- Approximately \$118,000 is available to implement the Safe Drinking Water grant project and project implementation will be prioritized to limited resource growers and disadvantaged communities in the Salinas Valley.
- This project is consistent with California's Human Right to Water, and is also consistent with the Board's priority to ensure safe drinking water and provide assistance to limited resource growers.

Operations that Failed to Pay 2013 ILRP Permit Fees

- In April 2013, Central Coast Water Quality Preservation Inc. (CCWQP) referred 295 operations to the State Board for failure to pay state permit fees and cooperative monitoring fees. The State Board sent invoices to these operations in June 2013 and also sent three follow-up letters (e.g., Demand for Payment, Notice of Violation, and Collections Notification).
- As of March 19, 2014, 128 operations have failed to pay state permit fees to the State Board. After several attempts to bring these operations into compliance, Regional and State Board staff are no longer conducting follow-up and State Board staff has now referred these operations to a collections agency.

Items for Discretionary Review by the Regional Board

- State Order WQ-2013-0101 identifies specific items for which interested persons may seek discretionary review by the Regional Board. These items include the following:
 - Provision 11 - Approval or denial of a third party project or program. At this time, the Water Board has not received any third-party water quality improvement projects or programs for review.
 - Part 2 of the MRP – Approval or denial of a cooperative groundwater monitoring program. In July 2013, the Executive Officer reviewed four cooperative groundwater monitoring program proposals and approved two. The May and July 2013 Board Meetings included information items to discuss the review and approval of the cooperative groundwater monitoring programs.
 - Provision 18 – Approval of a farm to transfer to a lower tier, or requirement of a farm to transfer to a higher tier. Since March 2012, staff has reviewed approximately 130 tier review requests from growers. Staff will post a list of tier review requests to the Water Board's Internet site and update it periodically so that interested persons may review the status. The Executive Officer has not yet required any farm to transfer to a higher tier.

Staff continues to implement the Irrigated Lands Regulatory Program to improve and protect water quality and make progress towards the Water Board goals of clean groundwater, healthy aquatic habitat and properly managed land that protects watershed functions. For additional information about the Irrigated Lands Regulatory Program, go to:

http://www.waterboards.ca.gov/centralcoast/water_issues/programs/ig_waivers/index.shtml

Regional Monitoring and Assessment [Karen Worcester 805/549-3333]

Healthy Watersheds Web Report Cards

Central Coast Water Board staff has been working over the past five years towards implementation of our Vision of "Healthy Watersheds. As part of this effort we established three measureable goals, related to healthy aquatic habitat, clean groundwater, and proper land management. To support the assessment of these goals, Central Coast Ambient Monitoring Program staff has been developing a new web-based tool for synthesizing data from multiple sources into measures of Health. This project is garnering attention at the state level because it provides a unique new way to view complex data in a user friendly environment that allows the user to quickly understand where our streams are healthy, and if not healthy, why not.

The project has been a large one, requiring gathering and selection of thresholds of concern, development of a scoring mechanism to translate measurement values into grades, translation of site level data to larger geographic scales and integration of that data with assessments that have already been conducted at a state-wide level.

An example of a site report card is shown in Figure 1. The site is scored for aquatic life and human health indices, with sub-indices (such as conventional water quality, biostimulation, toxicity, etc.) similarly scored. The user can click into any sub-index to bring up a table of the index components. In Figure 1, the components of the conventional water quality index are shown. Each individual analyte is scored for health, with basic summary information included. An arrow icon is used to indicate whether that analyte is improving or getting worse. We are also building an automated text tool, that will summarize the data in narrative format at the bottom of the report card (an incomplete version is shown in Figure 1). We will ensure that either the website or a parallel one is suitable for color impaired vision.

Peer review is and will continue to be an important piece of this project. Water Board staff is conducting beta-tests of the various website elements. Our external review has begun with evaluation of thresholds. This review has been led by Dr. John Hunt of U. C. Davis, who is partnering with us on this project. He is gathering and synthesizing comments from Dr. Jon Marshack (SWRCB staff and author of Water Quality Goals database), Dr. Brock Bernstein (Environmental Consultant and author of a report card approach for San Diego Region), Brian Anderson (Granite Canyon toxicologist), Rusty Fairey (Moss Landing Marine Labs sediment objectives expertise) and Nan Singhasemanon (CDPR pesticide expertise). We also are preparing a manuscript of the scoring approach, for submittal to a peer-reviewed journal. The overall project will be peer-reviewed when complete through the Surface Water Ambient Monitoring Program.

We have begun presenting this work in several different forums to share ideas and gather comments about potential improvements. We presented an early version of the website at a California Healthy Watersheds Partnership meeting on 1/16/14. On 4/25/2014, we presented it along with several of our other software tools to State Board staff, particularly those involved with the California Data Exchange Network (CEDEN), the Integrated Report development staff, Geographic Information System staff and others. The intent of that meeting was to evaluate this technology for potential transfer to the State to make these tools accessible to CEDEN, the Integrated Report program and/or the California Water Quality Monitoring Council's My Water Quality web portals. This would help us by providing long term maintenance and support for the software. We presented it in a staff presentation at the Central Coast Water Board offices on May 6th to gather input and ideas for finalizing the product. We also presented the concept at the National Water Quality Monitoring Conference in Cincinnati, OH at the end of April. It is our intention to have it ready for public release in August. We will provide the Board with a presentation of this new set of data tools at a board meeting in or after September, 2014.

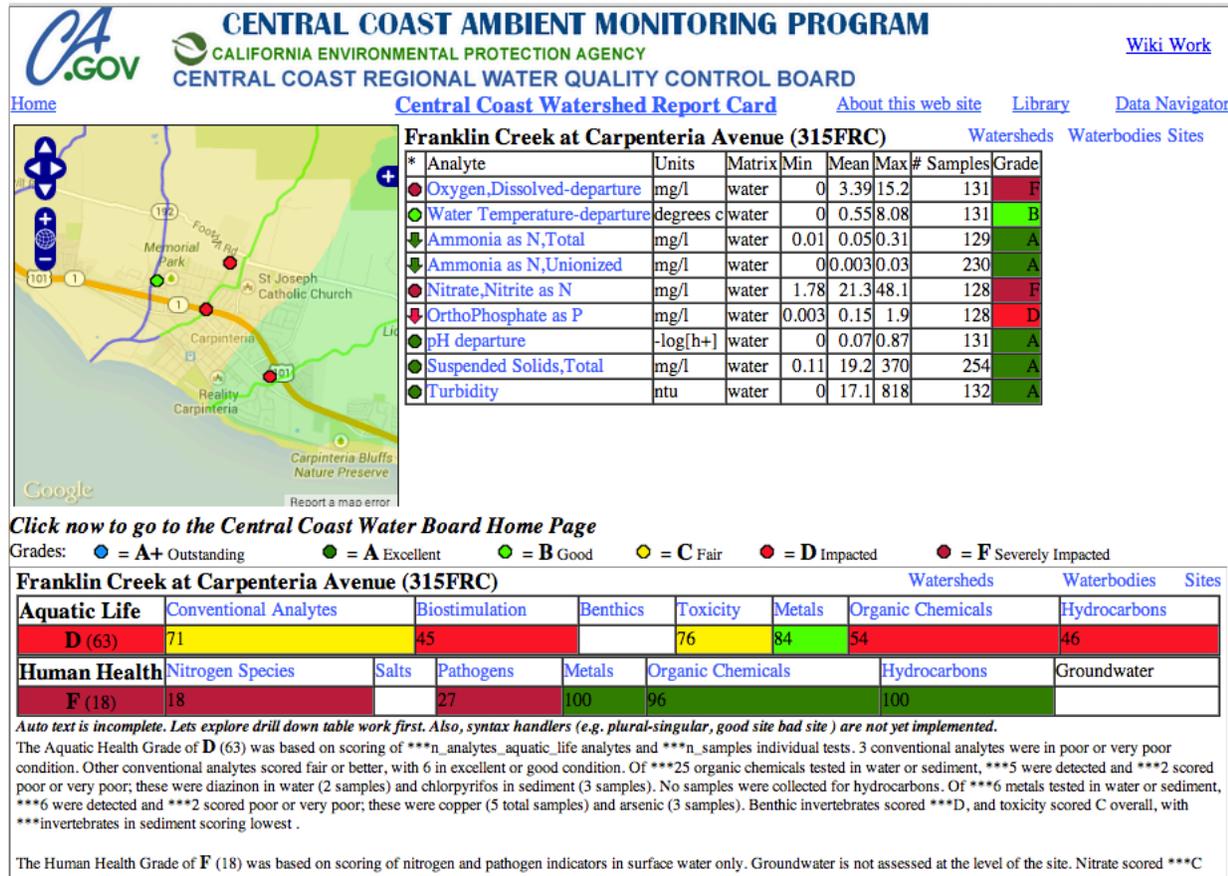


Figure 1. Screen shot taken from the draft website (which will be available to the public through the internet later this year).

Grants Program [Katie McNeill 805/549-3336]

On April 4, 2014, State Board Executive Director - Tom Howard - approved the Project List for the 2014 CWA 319(h) NPS Grant Program. The Project List includes two projects in the Central Coast Region.

Pinto Lake Restoration Project (Pin No. 25816) has been approved in full (\$750,000). Pinto Lake is a waterbody in the Pajaro River watershed that is heavily impaired by the occurrence of massive cyanobacteria blooms. The Project is designed to restore Pinto Lake by addressing nutrient loading that is driving the toxic algal blooms. The Pinto Lake Restoration Project is based in part on the findings of the Pinto Lake 319(h) Planning and Assessment project, completed in 2013.

Pajaro Watershed Livestock and Land Program (Pin No. 25832) is potentially fundable for the amount requested (\$471,395), but is currently prioritized beyond available funds. Funding would continue the Livestock and Land program to reduce fecal coliform and sediment loading through implementation projects, project design, technical assistance, and recruitment and training on rural residential properties. The Livestock and Land Program implements TMDLs in the Pajaro River. The availability of additional funding will be determined by July 31, 2014.

For more information on the CWA 319(h) NPS Grant Program, visit the following website: http://www.waterboards.ca.gov/water_issues/programs/nps/docs/2014/full_proposal/2014_approved_proposals.pdf

Salinas River Management Update [Jennifer Epp 805/594-6181]

On March 6, 2014, the Central Coast Water Board held a workshop to provide an opportunity for regulatory agencies, landowners, other stakeholders, and the public to provide recommendations to the Central Coast Water Board on short and long term strategies for Salinas River management that allow for flood risk reduction activities while protecting the habitat and other functions of the river. This report provides an update on Central Coast Water Board staff activities since the workshop.

Central Coast Water Board staff has participated in the following Salinas River Management meetings since March 6:

- March 18 – Assembly member Luis Alejo, other legislative representatives, and stakeholders
- April 1 – Representatives of Salinas River Channel Coalition and Grower Shipper Association of Central California
- April 3 – Resource Conservation District of Monterey County
- April 9 – Salinas River Channel Coalition
- April 10 – Monterey County Water Resources Agency
- April 24 – Monterey County Water Resources Agency
- April 30 – Salinas River Demonstration Project Permitting Subcommittee

Trash: Central Coast Water Board staff provided the protocols Monterey County and Caltrans follow for removing trash from around the Salinas River bridges to Salinas River Channel Coalition, Grower Shipper Association of Central California, Monterey County Water Resources Agency, and the Monterey County Farm Bureau. Both Monterey County and Caltrans will remove the trash within their rights-of-way upon request. For trash removal outside of Monterey County or Caltrans rights-of-way, Central Coast Water Board staff provided stakeholders with information on Monterey County's free disposal options and potential sources of trash removal grants from CalRecycle. The Grower Shipper Association of Central California will develop a description of proposed mechanized trash removal activities outside of County and Caltrans rights-of-way. Once descriptions are received, Central Coast Water Board staff will work with the United States Army Corps of Engineers and Grower Shipper Association of Central California with the goal of determining a method to remove any large objects without needing permits. Removing trash by hand does not trigger any permits.

Arundo: The Resource Conservation District of Monterey County (RCD) plans to begin a program for systematic treatment of Arundo starting in mid-August. This project does not require a Section 401 Water Quality Certification from the Central Coast Water Board. The RCD plans to apply for the Aquatic Weed Control General Permit (Order No. 2013-0002-DWQ) from the State Water Board. This permit takes between 40 to 90 days to obtain. The RCD has stated they have obtained the other regulatory approvals required for this project.

Demonstration Project near Gonzales and Chualar: On April 18, Central Coast Water Board staff and the United States Army Corps of Engineers (USACE) received the project description for the Salinas River Demonstration project. As of April 23, the Section 401 Water Quality

Certification application for this project has not been received by Central Coast Water Board staff. The United States Fish and Wildlife Service (USFWS) has indicated that their Section 7 (endangered species) consultation will likely take the full 135 days allowed because their workload is high. The Section 7 consultation 135 day review time period doesn't start until USACE receives an application, reviews it, and determines that initiation of Section 7 consultation with USFWS is appropriate. The desired work window for the Demonstration project is September through November. Time is tight to get permits for the Demonstration project this year but is still possible if applications are received soon.

Presentations, Training and Significant Staff Meetings

On January 28-29, 2014, Arwen Wyatt-Mair attended the NPDES Inspection Training in Riverside. On February 3-4, 2014, Arwen Wyatt-Mair attended the AAIE (Association of Applied IPM Ecologists) conference in Monterey.

On February 3-6, 2014, Tom Sayles (Underground Storage Tank unit) attended the California CUPA conference in San Francisco. This conference provides professional training in subjects related to enhancing Unified Program implementation and to improve consistency and coordination between the 84 CUPAs and 32 participating agencies throughout California. The unified programs include hazardous waste management, hazardous materials disclosure, California accidental release prevention, underground storage tank, and the aboveground storage tank programs. A CUPA is an agency that has been certified by the State to implement the unified programs. The conference is sponsored by CalEPA, the State Water Board, the Department of Toxic Substance Control and the Governor's Office of Emergency Services, among others.

On February 4-5, 2014, Monica Barricarte participated in the American Society of Agronomy - Plant and Soil Conference in Fresno.

On February 12, 2014, Monica Barricarte and Corinne Huckaby attended the 2014 Irrigation and Nutrient Management Meeting in Salinas.

On February 14, 2014, Ken Harris, Angela Schroeter, and Monica Barricarte met with agricultural representatives and consultants to discuss implementation of the Annual Compliance Form.

On February 24-26, Arwen Wyatt-Mair, Elaine Sahl, Shanta Keeling, Howard Kolb, Kristina Olmos, Peter Osmolovsky, Erin Sanderson, Dean Thomas, Cecile DeMartini, Donette Dunaway, Julia Dyer, and Mary Hamilton attended the Intro to ArcGIS for the Water Boards course in San Luis Obispo.

On February 27, 2014, Monica Barricarte, Matthew Keeling, Angela Schroeter, Lisa McCann, and John Robertson met with representatives from Cal Poly's Irrigation Training and Resource Center to discuss the State Board's SBX2-1 Nitrate Expert Panel.

On February 26, 2014, Angela Schroeter and Hector Hernandez met with growers and ranch supervisors at D'Arrigo Brothers Company in Salinas as part of a company-wide training workshop on managing water and fertilizer, including compliance with the Central Coast Water Board's Agricultural Order.

Peter von Langen, an Engineering Geologist, and Katie DiSimone, a Water Resource Control Engineer, attended Water Board Training Academy classes for Wastewater Facility Inspection Training and Pretreatment Program Training in February and March 2014, respectively. Peter

von Langen and Katie DiSimone write National Pollutant Discharge Elimination System permits and inspect these permitted facilities throughout the region.

On March 5, 2014, Monica Barricarte presented at the California Department of Food and Agriculture's Certified Crop Advisor training in Salinas. On March 10, 2014, Ken Harris, Monica Barricarte, and Matthew Keeling participated in the State Board's SBX2-1 Nitrate Expert Panel Advisory Committee kick-off meeting in Sacramento.

On March 13, 2014, Arwen Wyatt-Mair and Peter Meertens met with the Santa Barbara County Agricultural Commissioner and DPR in Santa Maria to discuss pesticide label requirements. On March 21, 2014, Angela Schroeter, Chris Rose, Arwen Wyatt-Mair and Peter Meertens met with the San Luis Obispo County Agricultural Commissioner in San Luis Obispo to discuss pesticide use reports submitted to the County by growers.

On March 25, 2014, Ken Harris and Angela Schroeter participated in a farmTour in Salinas with USEPA Regional Administrator Jared Blumenfeld, USEPA Water Division Director Jane Diamond and staff, Monterey County Farm Bureau, Monterey County Agriculture Commissioner, Monterey Bay National Marine Sanctuary, and Tim Borel of Nunez Farms.

On March 26, 2014, Ken Harris, Angela Schroeter, and Hector Hernandez met with the Central Coast Groundwater Coalition to discuss implementation of cooperative groundwater monitoring requirements.

On March 19, 2014, the U.S. Army Corps of Engineers held a public meeting in Monterey to celebrate completion of its \$18 million groundwater cleanup at the former Naval Auxiliary Air Station (now Monterey Airport). The environmental restoration project was completed about 15 years ahead of schedule, saving taxpayers an estimated \$4.5 million. Speakers at the public meeting included Congressman Sam Farr who, as a member of the House Appropriations Committee, was instrumental in obtaining the necessary funds. Other speakers included Jerry Vincent, the Army Corps' Section Chief for Base Realignment and Closure - Formerly Used Defense Sites and Water Board Engineering Geologist Grant Himebaugh. At the meeting, Mr. Himebaugh was awarded the Army Corps' Commander's Award for Public Service, and the Corps' Environmental Restoration Award for his role on expediting the project.

On April 9-11, 2014, Harvey Packard attended the annual California Hazardous Materials Investigators Association conference in Shell Beach.

From May 18-24, 2014, Don Eley, Engineering Geologist, will attend Battelle's 9th *International Conference on Remediation of Chlorinated and Recalcitrant Compounds* in Monterey. As part of the conference, Don Eley, along with Vandenberg Air Force Base staff Kathy Gerber and Craig Naithe, will present a poster entitled: *In Situ Chemical Oxidation Ozone Reaction Byproducts; Trihalomethanes Produced in Groundwater from Trichloroethylene Treatment*. Don Eley is assigned multiple, complex, solvent soil and groundwater cleanup cases at Vandenberg Air Force Base.

Attachments

1. Table 3 - Groundwater Section, Case Closure Performance Scoreboard
2. Table 4 - Groundwater Case Closures
3. Table 5 - General Waiver/General Order Enrollment Table

