

## Central Coast Regional Water Quality Control Board

### MINUTES

#### Central Coast Regional Water Board

#### PUBLIC WORKSHOP

March 6, 2014

#### REGULAR MEETING

March 7, 2014

Chair Dr. Jean-Pierre Wolff called the meeting to order on May 22, 2014 at 8:35 a.m. at the Monterey County Board of Supervisors Chambers, 168 West Alisal St., 1<sup>st</sup>, Floor, Salinas, CA 93901

#### 1. Roll Call – Board Members

**Michael Thomas, Assistant Executive Officer**

#### Present:

Jean-Pierre Wolff, Chair, Monica Hunter, Vice Chair, Jeff Young, Bruce Delgado, Russell Jeffries, Mike Jordan, and Mike Johnston

#### 2. Introductions:

**Kenneth A. Harris Jr., Executive Officer**

Mr. Harris introduced Board staff, Michael Thomas, Assistant Executive Officer, and Jessica Jahr, Water Board Legal Counsel.

#### 3. Public Workshop – Input from Stakeholders on Salinas River Management

Chair Dr. Wolff introduced the workshop and stated that the purpose was to discuss opportunities to manage the flood risk in the river and protect the environment.

Assembly member Luis Alejo provided brief comments about the need to address the flood risk this year to protect agricultural, cultural, community, environmental, and employment resources. He also said this project is his top local priority and that he has met with stakeholders, the Governor's office, the Executive Director of the State Water Resources Control Board, the Director of Fish and Wildlife and was glad to be at the Central Coast Water Board workshop.

Staff member Jennifer Epp provided a brief presentation about past management activities, related permitting history, involvement by various regulatory agencies, Water Board permitting authority, and current proposed management activities.

Several organizations presented their views of past and current management activities and their respective roles and responsibilities. These included the following:

- Monterey County Water Resources Agency
- The Nature Conservancy
- Resources Conservation District of Monterey County

DR. JEAN-PIERRE WOLFF, CHAIR | KENNETH A. HARRIS JR., EXECUTIVE OFFICER

- Salinas River Channel Coalition
- Salinas Valley Water Coalition
- Monterey County Farm Bureau
- Grower-Shipper Association of Central California
- US Army Corps of Engineers
- US Environmental Protection Agency
- National Oceanic and Atmospheric Administration National Marine Fisheries Service
- CA Department of Fish and Wildlife
- CA Rural Legal Assistance
- Monterey Audubon Chapter
- Monterey Coastkeeper

Board members asked and commented about flood risk calculation and modeling, environmental monitoring and impact assessment, cooperation between stakeholders, regulatory requirements and permitting processes, and agency and landowner responsibility to propose projects that agencies can permit.

Members of the public commented about the urgency to reduce flood risk, desired vegetation clearing, need for all types of maintenance activities, need to protect native cultural resources, need to manage the watershed as a whole, and the burden of regulations.

Board members discussed possible next steps including the following:

- Stakeholders should continue communications frequently and transparently and should work with regulatory agencies.
- Central Coast Water Board staff should hold meetings to keep communications going and encourage work like The Nature Conservancy has done.
- Agencies should expedite review of permit applications received to do work this year.
- Stakeholders should create a blue print for short term maintenance on the river. Stakeholders should also develop a long term strategy for maintenance; this should include exploring shared flood risk and off channel storage. Short and long term maintenance activities should be based on science and modeling of flood risk reduction and environmental benefits.
- Stakeholders should explore sources of potential funding.
- Central Coast Water Board staff should insure the public and Board members have an opportunity to review and comment on the project permit conditions; this might include Board members participating in meetings with stakeholders, and/or receiving formal notice that permit conditions are available for comment.
- Agencies should work with landowners to clarify if and what permits are needed for trash removal.
- Permits should include monitoring and accountability.
- Stakeholders should consider a more formal and sustainable process to develop long-term solutions, such as Action Pajaro Valley.
- Board members may visit farms to learn more about conditions in the field.

**FRIDAY, March 7, 2014**

Chair Dr. Jean-Pierre Wolff called the meeting to order on May 22, 2014 at 8:35 a.m. at the Monterey County Board of Supervisors Chambers, 168 West Alisal St., 1<sup>st</sup>, Floor, Salinas, CA 93901

**4. Roll Call – Board Members ...****Michael Thomas, Assistant Executive Officer****Present:**

Dr. Jean-Pierre Wolff, Chair, Monica Hunter, Vice Chair, Jeffrey Young, Bruce Delgado, Russell Jeffries, Michael Jordan, and Michael Johnston

**Introductions:****Kenneth A. Harris Jr., Executive Officer**

Mr. Harris introduced Board staff, Michael Thomas, Assistant Executive Officer, and Jessica Jahr, Water Board Legal Counsel.

**5. Approval of January 30, 2014 Meeting Minutes****Board Motion****Motion: Russell Jeffries moved to approve****Second: Michael Jordan****Carried: (7-0) Unanimous****6. Report by Regional Board Members****Status Reports**

- Dr. Hunter is working with staff to develop a meeting focused on disadvantaged communities to be held as a Regional Board meeting later in the year.
- Bruce Delgado reported that test wells have been installed for Monterey Bay desalination project. He also requested assistance from Regional Board staff in the form of some education on this as well as assistance in expediting permitting.
- Chairman Wolff reported he participated in symposium on water and law, focus of the symposium was on irrigation. He also indicated that he would participate as part of State Water Board's roundtable on climate change

**7. Report by State Water Resource Control Board Liaison****Status Report****8. Public Forum.....Board Direction**

Public Speakers

- Steve Shimek noted that there was no Executive Officer's Report with this agenda and meeting. He also requested that all Water Board tours should be public noticed and the public should be invited. He noted that there is a shortage of water in both Salinas and Monterey Peninsula, and as such, we need to look at wastewater as a supply to offset this shortfall, estimate 35,000 acre/feet.

Board member Young stated that Board member Jordan has suggested that City of Santa Barbara consider reuse instead of starting up its desalination plant, as this may prove to be more cost effective. Mr. Harris relayed that staff are speaking with Salinas via letter to encourage reuse. Board member Jordan indicated that he spoke with State

Board member Steve Moore who indicated State Water Board is moving towards a zero discharge approach.

**9. Uncontested Items Calendar\* .....Board Motion**

**10. [TMDL for Nitrate in the Glen Annie Canyon, Tecolotito Creek, and Carneros Creek Watersheds](#)**

Consider Resolution No. R3-2014-0011

[Larry Harlan, 805/594-6195, [larry.harlan@waterboards.ca.gov](mailto:larry.harlan@waterboards.ca.gov)]

**Discussion:** Board Chair Wolff clarified that agriculturalists apply compost not manure. He also asked if targeting 2016 as compliance date was overly optimistic because we are in an unprecedented drought and suggested we delay the compliance date. Central Coast Water Board staff Larry Harlan explained results are expected from this Total Maximum Daily Loads (TMDL) rapidly, as significant changes are taking place now with irrigation practices including drip tape becoming more common. Mr. Harris explained that the 2016 compliance date can be adjusted if additional time is needed. Board member Delgado made a motion that staff amend the TMDL with a global replacement of “manure” with “compost” and that staff reconsider timeline in 2016 and bring it back to the Board, as needed. Board member Johnston asked about the implications if the TMDL implementation timeline is too aggressive. Mr. Harris reminded Board members that TMDLs are not enforceable, orders are.

**Motion: Bruce Delgado moved to amend**

**Second: Jeffrey Young**

**Carried: (7-0) Unanimous**

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

**11. Inn at Pasatiempo, Santa Cruz**

Enforcement Coordinator Harvey Packard provided a brief summary of the staff report.

Central Coast Water Board staff and Enforcement Coordinator Harvey Packard apologized for the late settlement on the proposed cease and desist order (CDO). He also indicated the proposed CDO required submittal of a plan to upgrade the system and that the discharger submitted this plan as part of the settlement places us ahead of where we would have been if the CDO were adopted at this meeting. Mr. Packard also indicated all industrial wastewater treatment systems in the San Lorenzo River watershed require nitrate removal. Mr. Packard also indicated he thought the settlement was an enforceable agreement. He explained that the administrative civil liabilities portion of this case has not been settled, but discussions are ongoing to settle this prior to the scheduled May hearing date. Board member Hunter asked if the time-schedule order (TSO) was different than 1999 CDO time schedule and if there were penalties in the previous order. Mr. Packard stated the previous CDO was not a TSO and penalties were not stipulated. Mr. Packard also stated the discharger will evaluate both options (hooking up to the City of Santa Cruz wastewater system and onsite treatment). He also stated that a new flow meter has been installed. Chairman Wolff asked if a professional engineer would be required on the project and if an ongoing dialog with the City was occurring. Mr. Packard answered yes to both. Board member Delgado asked if the Board could review the settlement document. Board counsel

stated that typically the board is just notified of a settlement, and does not review, approve or discuss the pros and cons of the settlement's content.

### **Discussion/Informational Items**

12. [Historical Ecology of Wetlands in Vicinity of Elkhorn Slough](#)  
[Andrea Woolfolk, Stewardship Coordinator, Elkhorn Slough National Estuarine Research Reserve, (831) 728-2822 ext. 311, [amwoolfolk@gmail.com](mailto:amwoolfolk@gmail.com)]

Andrea Woolfolk of Elkhorn Slough National Estuarine Research Reserve provided a presentation covering the historic connections and accounts of the Watsonville and Salinas wetland system. Ms. Woolfolk's presentation is available at:

[http://www.waterboards.ca.gov/centralcoast/board\\_info/agendas/2014/march/Item\\_12/presentation/wetlands\\_presentation.pdf](http://www.waterboards.ca.gov/centralcoast/board_info/agendas/2014/march/Item_12/presentation/wetlands_presentation.pdf)

Board member Young stated use of these types of colored maps helps us view the collective current and historical beneficial uses over time in color. Board member Hunter stated these visual tools help us understand changes over time to these resources and beneficial uses from the baseline. Dr. Hunter asked what were the bulkheads discussed in the historical narrative were for?

Ms. Woolfolk stated the bulkhead was installed - to help reclaim the marshland. Board members Johnston and Jordan expressed appreciation for the presentation. Several of the board members considered whether relationships with surrounding universities could be used to evaluate historic beneficial uses, or combined with other state agencies to evaluate historic resources. Mr. Shimik pointed out that the maps do not list agricultural ditches for domestic drinking beneficial use. He stated that the Rec ditch should have a domestic drinking water beneficial use given the historic mapping information provided in the preceding presentation.

Speakers: Andrea Woolfolk (Elkhorn Slough), [amwoolfolk@gmail.com](mailto:amwoolfolk@gmail.com)  
[elkhornslough.org/habitat-restoration/historical-ecology-tools.htm](http://elkhornslough.org/habitat-restoration/historical-ecology-tools.htm)  
Commenter: Steve Shimik  
Exhibits: Woolfolk ppt

13. [Long-Term Water Quality Monitoring And Eutrophication Research At Elkhorn Slough](#)  
[John Haskins, Elkhorn Slough National Estuarine Research Reserve; [john@elkhornslough.org](mailto:john@elkhornslough.org); Brent Hughes, Elkhorn Slough National Estuarine Research Reserve and University of California Santa Cruz; [brent@elkhornslough.org](mailto:brent@elkhornslough.org); Kerstin Wasson, Elkhorn Slough National Estuarine Research Reserve and University of California Santa Cruz; [kerstin.wasson@gmail.com](mailto:kerstin.wasson@gmail.com)]

John Haskins, Brent Hughes, and Kerstin Wasson of Elkhorn Slough National Estuarine Research Reserve provided a presentation on water quality related to the Elkhorn Slough. This presentation is available at:

[http://www.waterboards.ca.gov/centralcoast/board\\_info/agendas/2014/march/Item\\_13/presentations/monitoring\\_presentation.pdf](http://www.waterboards.ca.gov/centralcoast/board_info/agendas/2014/march/Item_13/presentations/monitoring_presentation.pdf)

The presenters identified flow control structures associated with the slough, and identified threats and impacts to various biota in the slough. Key points made in this presentation:

- Fifty percent of Elkhorn Slough is behind water control structures

- Water quality and ecological health severely suffer behind these structures due to restricted flushing and dilution of pollutants, specifically nutrients.
- **Board members and presenters discussed sedimentation, scouring, and eutrophication and the effects of these processes on specific wildlife and plants (i.e., eel grass).**

**Speakers:** John Haskins, Elkhorn Slough National Estuarine Research Reserve  
Brent Hughes, Elkhorn Slough NERR, PhD student at UCSC  
**Kerstain Wasson, Elkhorn Slough NERR**  
**Exhibits: combined ppt.**

Chair Wolff adjourned the meeting at approximately 12:00 p.m. March 7, 2014.

Minutes were reviewed by management and will be considered for approval by the Board at the May 22-23, 2014 meeting in San Luis Obispo.

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Dr. Jean-Pierre Wolff, Chair