



# California Regional Water Resources Control Board

## Central Coast Region



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### MINUTES REGULAR MEETING Friday, December 1, 2006 Central Coast Regional Water Board

Chairman Jeffrey Young called the meeting of the Central Coast Regional Water Board to order at 8:30 a.m. on Friday, December 1, 2006, at the Central Coast Water Board Conference Room, 895 Aerovista Place, Suite 101, San Luis Obispo, California.

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

**Board Members Present:**

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

**Absent:**

Monica Hunter

2. Introductions ..... Assistant Executive Officer Michael Thomas

Assistant Executive Officer Thomas introduced staff. State Board Liaison Gary Wolff was not able to attend the meeting.

Supplemental sheets are available for Items 9, 10, 13, and 18.

3. Approval of September 7-8, 2006 and April 28, 2006 Meeting Minutes ..... Board Motion

**MOTION:** Russell Jeffries moved to approve the September 7-8, 2006 Meeting Minutes.

**SECOND:** Les Bowker.

**CARRIED:** Unanimously (6-0)

**MOTION:** Russell Jeffries moved to approve the April 28, 2006 Meeting Minutes.

**SECOND:** John Hayashi.

**CARRIED:** Unanimously (6-0)

4. Uncontested Items Calendar ..... Board Motion

The Board requested that Item Nos. 9 and 13 be pulled off of the consent calendar for discussion.

**MOTION:** Russell Jeffries moved to approve Item Nos. 10, 11, and 12 for the consent calendar.

**SECOND:** Daniel Press.

**CARRIED:** Unanimously (6-0)

5. Report by State Water Resources Control Board Liaison ..... Status Report

No report available at this time.

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

Mr. Thomas asked the Board if there were any questions on this report. The Board raised a question about wine case production at the

Bonnie Doon Vineyard and noted the number in the report looked very low. Staff will check the production numbers for accuracy.

*(Chair Young announced a break at 10:40 a.m. The meeting reconvened at 11:00 a.m.)*

**7. Underground Storage Tank Program and MTBE Cases**..... Status Report

A written report was submitted. The Board had no questions.

**8. Spills, Leaks, Investigation, and Cleanup**..... Board Direction

Former Fenn Cleaners, 201 E. Figueroa Street, Santa Barbara

This item was removed from the agenda.

**9. Las Palmas Ranch Water Reclamation Plant, Monterey County**..... Order No. R3-2006-0041

Assistant Executive Officer Thomas introduced the item along with the supplemental sheet presenting an additional comment letter and staff responses. Staff Engineer Matthew Keeling suggested foregoing the formal presentation to address Board member Jeffries' concerns directly. Chairman Young agreed. Board member Jeffries expressed concerns regarding whether the master irrigation association composed of the homeowner's associations (HOAs) could adequately implement the distributor reclamation requirements and requested to postpone the item until the HOAs formed the master irrigation association. Mr. Keeling agreed with Mr. Jeffries' concerns and stated that staff had already been waiting for the formation of the master association for over three years and that a new permit was needed to accurately define the responsible parties and update the reclamation requirements.

Mr. Keeling stated that Monterey County had come forward as the interim distributor until the master irrigation association was formed. Harvey Packard stated the proposed permit was needed to implement additional reclamation reuse areas with Monterey County acting as the interim distributor. Board Counsel Lori Okun stated that the existing permit was not enforceable because it did not accurately define the current owners and operators of the various facilities and we could update the proposed permit once the master irrigation association was formed to take over the distributor role. Board member Press agreed that we needed an enforceable permit in place allowing the needed expansion of the reclamation reuse areas to meet disposal demand. Chairman Young requested we provide an EO Report update at the July 2007 meeting regarding the implementation of the proposed permit and the formation of the master irrigation association.

**MOTION:** Daniel Press moved to adopt Order No. R3-2006-0041.

**SECOND:** Gary Shallcross.

**CARRIED** - (5-1) 5 yes, 1 no.



**13. Low Threat NPDES Permit** ..... Order No. R3-2006-0063

Assistant Executive Officer Michael Thomas reminded the Board of the supplemental staff report for this item. Water Board staff members Sorrel Marks and Cecile DeMartini heard comments and questions from Board Chairman Young, prior to a presentation for the reissuance of the General NPDES Permit for Low Threat to Water Quality (General Permit). Chairman Young's questions were with regard to justification for proposed modifications to the General Permit and requirements for certified analyses. On behalf of public comment and Mr. Robert Almy, Santa Barbara County Water Agency Manager, Chairman Young asked if Water Board staff would be holding workshops for potential permit holders to better understand the new requirements of the General Permit.

Ms. DeMartini discussed the proposed major modifications to the General Permit, and addressed Chairman Young's first comment regarding the proposed modifications. Ms. DeMartini stated that the adoption of National and State policies in the past five years regarding discharges of wastewater to California surface waters and oceans prompted revisions of the General Permit to meet the new regulations, specifically to meet the State Implementation Policy and the Ocean Plan (as revised in 2005). Additional questions generated from the presentation included those from Dr. Press and Dr. Bowker.

Dr. Press questioned the desalination brine maximum daily flow guidelines in Table 1 of the General Permit and inquired what sort of brine desalination facilities could be covered under the General Permit. Water Board staff clarified that Table 1 is only a guideline and not a prohibition of desalination brine discharges enrolling under the General Permit. Water Board staff counsel Lori Okun added that large-scale desalination plants are not allowed to be enrolled into the General Permit based on a Memorandum of Understanding between the Water Board and NOAA. Ms. Marks gave an example of an instance when emergency skid-mounted desalination equipment was needed at a Central Coast tourist facility to provide fresh water to the public.

Chairman Young reminded Water Board staff about the concern by public commenters on requiring "certified" analyses. Ms. Marks explained that the Water Board has always required analyses to be performed using a certified analytical method as stated in the Standard Provisions (1985). She added that the certified analyses requirement is often overlooked by permitted facilities and because of this was reiterated in the General Permit. She also stated that properly calibrated field equipment used by a General Permit enrollee will meet this requirement as well.

Dr. Bowker questioned if the General Permit provided adequate monitoring requirements of organic and nutrient loading for seafood processing wash water. Mr. Harvey Packard assured Dr. Bowker that the General Permit allows for modifications of the monitoring and reporting program to screen for potential unique pollutants from each individual discharger, including those from seafood processing facilities.

Ms. Marks summarized public comments to the General Permit. She responded to the comment from Chairman Young regarding public workshops. She stated public workshops were held before the first General Permit and that each reissuance is at a public hearing. Presently Water Board staff meet individually with each enrollee or potential enrollee to address questions or assist them during the enrollment process.

Mr. Almy presented his agency's and other affected County of Santa Barbara agency concerns with the proposed General Permit. In summary, he suggested that the effluent monitoring requirements of the General Permit may be excessive for particular county agency wastewater discharges and the Water Board would benefit from more input from the regulated community in order to streamline the General Permit enrollment and monitoring process.

The process of fire hydrant maintenance (i.e., flow testing) and the potential for this type of effluent to meet the State Implementation



Policy categorical exception to analyze for Attachment D chemicals of concern was discussed. Board Members, Ms. Okun, and Assistant Executive Officer Michael Thomas concluded that if fire hydrant maintenance is a component of the water supply source then this type of discharge can be considered for a

categorical exception as listed in the State Implementation Policy, but each enrollee's circumstances will be individually reviewed by Water Board staff to confirm. The Water Board stated that unplanned and/or emergency discharges from fire hydrants would not require coverage under the General Permit.

**MOTION: Russell Jeffries moved to adopt Order No. R3-2006-0063 - Low Threat General NPDES Permit as proposed.**

**SECOND: Dr. Press.**

**CARRIED: Unanimously (6-0)**

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

Harvey Packard announced a ground breaking ceremony for the City of Hollister next Tuesday. The City extended an invitation to the Board to attend the ceremony.

Chair Young asked staff about violations of permit limitations in the City of Santa Barbara.

**15. E.Coli Investigations..... Status Report**

Assistant Executive Officer Michael Thomas provided a brief update on staff's ongoing efforts to address the e.coli contamination issue on the Central Coast. Mr. Thomas mentioned staff's review of NPDES requirements for produce packaging facilities, consideration of a regulatory program for grazing, TMDL work, and field sampling efforts.

The Water Board directed staff to follow the issues closely, inform the Board of opportunities for Board Members to participate in any meetings, conferences, etc., regarding the issue, and send letters emphasizing the importance of vegetated management practices and riparian habitat to the California Department of Food and Agriculture and others as necessary. The Board expressed dismay over the potential loss of vegetated management practices and riparian habitat, the lack of science in the process, and noted that such actions would be a major detriment to water quality.

Mr. Thomas also discussed the issues regarding food safety and water quality, noting that the agriculture industry is working on food safety guidelines that promote the removal of vegetative management practices and riparian habitat.

**16. Public Forum ..... Board Direction**

The individuals listed below had comments:

- Eric Greening, resident Atascadero
- Nancy Castle, AGP Video, Morro Bay
- Dave Duggan, resident Los Osos
- Gwen Taylor, resident Los Osos



## 17. Reports by Central Coast Water Board Members ..... Status Report

Russell Jeffries represented the Board at the Monterey Bay National Marine Sanctuary Advisory Committee. They are in the process of developing a new management plan.

Mr. Jeffries advised staff to provide the Committee with applicable input. Daniel Press was able to present a large check to the Santa Cruz RCD on behalf of the Board.

*(Chair Young announced a break at 12:00 p.m. The meeting reconvened at 12:17 p.m.)*

## 18. Executive Officer's Report ..... Information/Discussion

Staff Engineer Ryan Lodge provided an update on the Santa Barbara County Storm Water Management Program. Mr. Lodge reported that the County submitted a revised SWMP with all the required changes. The Water Board previously asked for specific information related to four areas: enforcement follow-up, interagency referrals, budget breakdown, and construction site inventory (including larger scale maps with more detail). Mr. Lodge provided detailed information to the Board on each of the four areas.

The following individuals had comments:

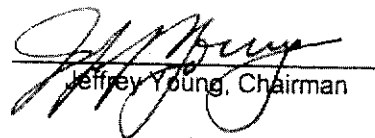
- Robert Almy, Santa Barbara County
- Anjali Jaiswal, NRDC
- Marco Gonzalez, Coast Law Group/Heal the Ocean

*(Chair Young announced a break for lunch and closed session at 1:17 p.m. The meeting reconvened at 2:05 p.m.)*

The Board decided not to place any more items for the Santa Barbara County Storm Water Management Plan on its agenda at this time but will consider the matter at the time of the first annual report.

Chairman Young adjourned the meeting at 2:30 p.m. The next regular Board meeting will be held on February 9, 2007, in Salinas.

The meeting was audio recorded and the minutes were reviewed by management and approved by the Board at its February 9, 2007 meeting in Salinas, California.

  
Jeffrey Young, Chairman

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