

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

STAFF REPORT FOR REGULAR MEETING OF JULY 10, 2009

Prepared on June 11, 2009

ITEM NUMBER: 19

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 April 1, 2009 to May 31, 2009.

WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED FROM APRIL 1, 2009 THROUGH MAY 31, 2009

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage ¹	Status of Application
Mark Dettle-- City of Santa Cruz	Bay Street Emergency Repair	Project proposes to remedy the drainage feature on the right bank of Bay Street Creek by reconstructing the eroded slope, replacing two existing culverts and adding to roadside catch basin.	Santa Cruz	Santa Cruz	Bay Street Creek	0.115	Complete Application
Cal Poly State University	Brizzolara Creek Box Culvert Maintenance	Maintenance of stormwater outfall box culvert structures and inlet basin that have accumulated sediment and vegetation.	San Luis Obispo	San Luis Obispo	Stenner Creek, San Luis Obispo Creek	0.044	Certified May 4, 2009
Glen Piddy -- City of San Luis Obispo	Cholame Valley Road Levee Repair Project	Project proposed to extend an earthen levee an additional 600 feet to capture and redirect the flows that are circumventing the existing levee.	Cholame Valley	San Luis Obispo	Cholame Creek, Estrella River	0.6	Complete Application
Dave Flynn-- County of San Luis Obispo	Yerba Bueno Avenue Diversion Pipe Project	Implement drainage improvements to reduce local flooding in the community of Santa Margarita	Santa Margarita	San Luis Obispo	Yerba Buena Creek, Santa Margarita Creek	0.03	Complete Application, Certification is pending

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

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage ¹	Status of Application
County of Santa Cruz	East Cliff Drive Bluff Protection and Parkway	Purpose of the project is to increase the longevity of the public right-of-way, to protect the road and major utilities from coastal bluff erosion and to improve and enhance public access to the coast by constructing a parkway for pedestrians and cyclists.	Live Oaks	Santa Cruz	Pacific Ocean	0.006	Certified May 21, 2009
Randal and Melinda Redberg	Huerhuero Creek At-Grade Crossing	Project proposes to construct an at-grade crossing over Huerhuero Creek for property access off of Union Road	Paso Robles	San Luis Obispo	Huer Huero Creek	0.1	Incomplete Application
City of Santa Barbara	Mission Creek Fish Passage at the Tallant Road Bridge	Removal of a barrier at the Tallant Road bridge in order to improve upstream mitigation of the endangered steelhead trout	Santa Barbara	Santa Barbara	Mission Creek	0.5	Under Staff Review
Mark Schleich, County of Santa Barbara	Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Plan	Project purpose is to continue to provide the permitted solid waste disposal capacity as specified in Solid Waste Facilities Permit #42-AA-0015	Canada de le Pila	Santa Barbara	Pila Creek and unnamed tributaries	5.03	Certification is Pending
Lynn Walker--Shell Exploration and Production Company	Former Hercules Gas Plant	Remediation involving excavation of PCB and mercury contaminated materials, off-site disposal, replacement with clean fill material and revegetation of disturbed slopes.	Goleta	Santa Barbara	Huerta Creek	0.071	Under Staff Review

REGIONAL REPORTS

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

SWAMP Report on Contaminants in Fish from California Lakes

The State Water Board has released a report, "Contaminants in Fish from California Lakes and Reservoirs: Technical Report on Year One of a Two-Year Screening Study", that presents initial results from an extensive statewide lake survey conducted by the Surface Water Ambient Monitoring Program (SWAMP). The monitoring indicates that concentrations of mercury in indicator species are above human health thresholds across much of the state. PCBs were second to mercury in exceeding thresholds, although far fewer lakes reached concentrations that pose potential health risks. Concentrations of other pollutants were generally low and infrequently exceeded thresholds. The purpose of the study is to screen sport fish from these lakes for contamination. The study was not designed to indicate if and where agencies should officially provide fish consumption advice. However, staff is notifying local agencies about findings related to Region 3 lakes.

The report presents findings from the first year of a two-year study. This Lakes Survey marks the beginning of a new program that will track sport fish contamination in California lakes, rivers, streams, and coastal waters.

The Lakes Survey sampled more than 200 of the most popular fishing lakes in the state and also conducted a random sampling of 50 of California's other 9,000 lakes to provide a statistical statewide assessment of contamination in sport fish from these lakes. The species selected for sampling are known to accumulate high concentrations and be good indicators of contamination problems. This study is not providing consumption advice - this would require more detailed monitoring (with a broader array of species and larger numbers of fish analyzed) and a much higher level of funding.

The report presents results from monitoring in 2007. In 2007, the study team collected over 6,000 fish from 150 lakes and reservoirs. The team sampled another 130 lakes in 2008. Results from this second round of sampling will be available in 2010. Fish tissue concentrations were evaluated using thresholds developed by the California Office of Environmental Health Hazard Assessment (OEHHA) for methylmercury, PCBs, dieldrin, DDTs, chlordanes, and selenium. PCBs, dieldrin, DDTs and chlordanes are all organochlorine pesticides that are no longer in use. Methylmercury and selenium are metals that may have both natural and anthropogenic sources. The widespread nature of mercury contamination may be a result of historic mining activities, aerial deposition, and/or natural sources.

Lakes were considered "clean" if all average pollutant concentrations in all species were below all OEHHA thresholds. Only 15% of the lakes sampled in 2007 were in the clean category. In general, high elevation lakes, where trout were caught, had the lowest levels of contaminants in this statewide study. Low elevation lakes in Northern California had the highest mercury concentrations, while low elevation lakes in Southern California had the highest PCB concentrations.

In the Central Coast, none of the lakes in this initial screening were in the 15% statewide considered "clean" (below all OEHHA thresholds). Mercury was elevated (exceeding OEHHA advisory levels) in fish from two reservoirs in the upper Pajaro watershed (Chesbro Reservoir on Llagas Creek and Uvas Reservoir on Uvas Creek), as well as in Nacimiento Lake. Chesbro

Reservoir fish also had elevated levels of PCBs, and Pinto Lake fish had elevated levels of DDT. In all lakes, other chemicals were detected at lower levels exceeding OEHHA Fish Contaminant Goals (Table 1).

This data will be assessed in the next 303(d) listing cycle to determine whether any of these waters should be listed as "impaired". Additional sampling may be conducted by SWAMP or by our Central Coast Ambient Monitoring Program to gather enough data for fish consumption advisories at lakes that were high in contaminants but do not currently have advisories in place. Nacimiento Lake currently has an advisory for mercury in place. As of this writing, we have just received confirmation from City of Watsonville and County of Santa Cruz staff that notification signs are installed at Pinto Lake, as a result of our request. This lake had the highest DDT results in the state. We are notifying local agencies about findings related to Region 3 lakes in this study. A press release, fact sheet and FAQs on the study are available on the SWAMP website at: http://www.waterboards.ca.gov/water_issues/programs/swamp/lakes_study.shtml.

Table 1. Summary of Fish Tissue Findings in Six Central Coast Lakes

LAKE/RESERVOIR	FISH SPECIES and CONTAMINANT	CONTAMINATION LEVEL High – H Medium – M Low - L
Chesbro Reservoir	Largemouth Bass (mercury) Carp (mercury, PCB) Carp (dieldrin, DDT, chlordane)	H H M
Jameson Lake	Rainbow Trout (mercury) Rainbow Trout (PCB, dieldrin, DDT, chlordane, selenium)	M L
Nacimiento Lake	Carp (mercury) Smallmouth Bass (mercury) Carp (dieldrin) Carp (chlordane, DDT, PCB, selenium)	H H M L
Pinto Lake	Carp (DDT) Carp (PCB, dieldrin, chlordane) Largemouth Bass (mercury)	H M M
San Antonio Lake	Largemouth Bass (mercury) Carp (mercury, PCB, dieldrin, DDT)	M M
Uvas Reservoir	Largemouth Bass (mercury) Largemouth Bass (dieldrin, chlordane)	H M

High scores indicate at least one sample exceeded either an OEHHA advisory level or a "no consumption" recommendation. Medium scores indicate at least one sample exceeded an OEHHA Fish Contaminant Goal. Because sample count was small, this data is not sufficient to issue consumption advice or OEHHA Fish Consumption Advisories.

ADMINISTRATIVE REPORTS

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

Phil Hammer, Jennifer Epp and Jon Rohrbough attended a class entitled "Land Use Planning 101 for Water Professionals" on April 23-24 sponsored by the Training Academy in conjunction with UC Davis extension. Dominic Roques, Brandon Sanderson, and David Innis attended the same class on May 27 and 28. The purpose of the class was to familiarize State Water Boards staff with the regulations, issues, and processes involved in municipal land use planning. The class also suggested ways that State Water Boards staff might influence land use and development decisions in the direction of our vision and goals. They will apply what they learned to their assignments to regulate municipal stormwater discharges. The knowledge gained at the training will improve their ability to communicate with municipal planning staff about making land use decisions in favor of water quality and watershed health.

Jennifer Epp attended a class called Hydromodification 101 on May 19 and 20 organized by the Water Board Training Academy. The purpose of the class was to learn about the influence of watershed disturbance on receiving waters and methods to analyze and mitigate physical impacts. Jennifer will apply what she learned to her assignments to regulate MS4 discharges to protect watersheds.

Jennifer Epp attended a class called Facilitation Training on May 27 and June 10 organized by the Water Board Training Academy. The purpose of the class was to assist the State Board's Office of Public Participation plans to develop an in-house Facilitator Pool to provide expanded support to all Water Board offices and programs in order to improve stakeholder involvement processes. Jennifer will apply what she learned to her assignments to facilitate collaborative processes to protect watersheds.

In February 2009, Senior Engineering Geologist Thea Tryon completed her first week of new supervisor training through CPS Human Resource Services in Pasadena. A two-week new supervisor training course is required in accordance with Government Code Section 199995.4(b). Thea's second week of supervisory training was a series of classes taken through the Cuesta College Supervision and Management Academy. Thea took a total of five classes in March and April 2009. The training Thea attended was focused on leadership, performance management, and effective communication which complimented her UC Davis Executive Program training.

Several Water Board staff members attended a class entitled "Leading Change" on May 20 sponsored by the Water Board for staff development and taught by Gene Crumley of UC Davis Extension Executive Program. The purpose of this class was to teach participants the issues and dynamics involved in organizational change, and the leadership perspectives and styles that are most effective in leading transformation efforts. This training should improve staff effectiveness in their various assignments regulating waste discharges and land use impacts to water quality and watersheds, collaborating with stakeholders, assessing conditions and improvement strategies for complex environmental systems, and building support for the vision of healthy watersheds.

Water Board staff members Angela Schroeter, Howard Kolb, Katie McNeill, Sandy Cheek, Thea Tryon, Michael Thomas, and Roger Briggs gave presentations at one of a series of Leadership classes for other Water Board staff (other regions and the State Board) taught by Gene Crumley of UC Davis Extension Executive Program. Gene brought his class to our office so we had no travel costs. The purpose of this class was to share our individual roles, successes and failures, in the dynamics involved in organizational change, and how we each have responded and evolved in all our varied positions. The positive response from the class was nothing short of overwhelming (as we described at our offsite meeting in June); our investment of time seems to have been of assistance to many staff that are part of other organizations within the Water Board system.

Staff Engineering Geologist Grant Himebaugh of the DoD Program attended a Soil Vapor Intrusion Pathway training course in Sacramento on June 22, 2009. Sponsored by the Interstate Technology and Regulatory Council, and in conjunction with the CA Department of Toxic Substance Control and Water Boards, industry experts presented training how to evaluate and then mitigate harmful vapors, generated from waste spills, from reaching building occupants. Instructors presented strategies how to conduct site screening/investigations; identified tools to collect quality data; described how to apply multiple lines of evidence for decision-making; and described engineering solutions to protect a building occupant's health. After the training, Grant will present what he learned to other groundwater cleanup program staff at a future section meeting.

Budget Status [Roger Briggs 805/549-3140]

The Governor issued an Executive Order which severely limits new contracts and procurement, to save money as we close out the fiscal year. We continue using our prioritizing results to deal with additional cuts and cut scenarios. At this point, we have lost all our vacancies and will be in the red with more cuts. However, the Water Boards as a whole still have nearly 80 vacancies, so we will be covered by other boards' vacancies until 1. we receive additional budgeted personnel years (which is unlikely anytime soon), or 2. staff leave our office. In the latter case, we would not be able to refill those positions until we are "out of the red." If we have any more updates by the time of the Board meeting, we will provide them at the meeting.

Board Member Feedback on Chair's Role [Roger Briggs 805/549-3140]

The Chair asked Board members to provide feedback on the job of Chair of the Regional Board by the time of this meeting. The Board may wish to discuss this feedback.