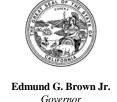


California Regional Water Quality Control Board Central Coast Region

895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-7906 (805) 549-3147 • FAX (805) 543-0397 http://www.waterboards.ca.gov/centralcoast



MINUTES

Central Coast Regional Water Board

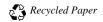
REGULAR MEETING

Thursday, July 14, 2011

Chairman Young called the meeting of the Central Coast Water Board to order at 8:30 a.m. on Thursday, July 14, 2011, at Watsonville City Council Chambers, Watsonville CA.

1. Roll Call – Board Members	Assistant Executive Officer Michael Thomas
Present:	Absent:
Chairman Jeffrey Young	N/A
Vice Chair, Russell Jeffries	
John Hayashi David Hodgin	
Monica Hunter	
Jean-Pierre Wolff	
2. Introductions	Environmental Program Manager Lisa McCann
J .	cutive Roger Briggs was at the staff table so that Environmental
	could gain some experience by taking the role of advisor to the
<u> </u>	ff will have the opportunity for this experience at some subsequent
O .	ed Board staff, State Board Staff Counsel Jessica Newman and
	Spivey-Weber. Ms. McCann asked parties who wished to speak
to complete testimony cards and t	urn them in.

- **4. Approval of May 4-5, 2011 Meeting Minutes**Chairman Young introduced the item. Dr. Wolff requested the minutes be corrected to show he recused himself but was present during the meeting. Dr. Wolff also pointed out a transcription error on the minutes for Item 20 and requested correction.



MOTION: Russell Jeffries moved to approve the May 4-5, 2011 minutes with the noted

corrections.

SECOND: Monica Hunter CARRIED: Unanimously (6-0)

MOTION: David Hodgin moved to approve the uncontested items calendar

SECOND: Russell Jeffries CARRIED: Unanimously (6-0)

Staff reiterated that residual contamination at these sites is limited in extent, continues to degrade naturally and that any risk to human health or the environment is mitigated by appropriate restrictions.

Central Coast Water Board Engineering Geologist Dean Thomas presented proposed Waste Discharge Requirements (WDR Order No. R3-2011-0209) for the Olin Treated Groundwater Reinjection Facility, and Resolution No. R3-2011-0210, Adoption of Mitigated Negative Declaration for the Aquifer Containment and Cleanup System (Resolution). The presentation covered specifics in the WDR, including the project details (extraction wells, pipeline, onsite treatment system expansion, and injection wells), reason for the Aquifer Containment and Cleanup System (ACS), and review of staff's anti-degradation analysis.

During Mr. Thomas' presentation, Water Board member Dr. Monica Hunter asked for clarification on the perchlorate treatment method and Water Board Chairman Jeff Young asked about the effluent discharge location. Mr. Thomas responded that the system incorporates ion exchange vessels in a lead/lag (polishing) configuration and that the effluent will be recharged to the shallow aquifer onsite through injection wells. Dr. Hunter also asked about the concentration of perchlorate in the Tennant Well. Mr. Thomas responded that the concentration was between 5 and 6 micrograms per liter.

During the presentation on nitrate distribution and anticipated effluent concentrations, Chairman Young asked about the range in nitrate concentrations found. Mr. Thomas responded that concentrations exceeded 80 milligrams per liter in some areas within the ACS recharge zone; however, within the ACS capture area, there are only a couple of areas above the drinking water standard of 45 mg/L.

Water Board member Dr. Jean-Pierre Wolff asked whether the treatment method for perchlorate was a best available technology and if it had been used elsewhere successfully. Mr. Thomas responded that the technology is successfully used by Olin on this cleanup at domestic wellheads as well as the existing onsite treatment system since 2004 and is also a common technology used at other large cleanup sites. Dr. Wolff also asked how the cleanup timeframe of 12 years for the intermediate aquifer was derived. Mr. Thomas responded that data from site-specific aquifer testing, use of a groundwater flow model (USGS' Modflow), and the fact that perchlorate behaves as a salt (which is relatively easy to model because it travels at the speed of groundwater and does not adhere to soil particles), has allowed for good predictions of cleanup time; however, these estimates will be verified once the pumps start. Executive Officer Roger Briggs added that unlike many treatment systems in the region, the Olin on-site system has not had breakthroughs and thus not had any discharge violations in its eleven years of operation, making this technology about as bullet proof and dependable as any system can be.

Dr. Hunter asked whether the 39 mg/L effluent limit and controls were protective of the drinking water standard, and whether the monitoring can identify problems in the aquifer in time to fix any problems should they occur. Chairman Young followed by asking about where the sample for the limit is collected. Mr. Thomas responded that the sample is collected before the treated water is distributed to the six injection wells and that 39 mg/L represents the long-term quarterly average that can be recharged to the aquifer. Despite anticipated average effluent nitrate concentrations of about 33 mg/L, the WDR sets the nitrate effluent limit at 39 mg/L to allow for some variability in nitrate concentrations to occur. Dr. Hunter followed up by asking what would occur to the system if all three extraction wells start having excessive levels of nitrate? Mr. Thomas responded that although it is highly unlikely this scenario would occur, if it did, it would result in a shutdown and re-tooling of the system. Since Olin's preferred method for handling nitrate is blending, as is the preferred method for water municipalities, Olin would have to find another source of water that is sufficiently low in nitrate.

Chairman Young asked, since Olin did not cause the nitrate, and nitrate is prevalent in the Llagas Subbasin, why have an effluent limit? Mr. Thomas responded by saying that we have to ensure that the drinking water standard is not exceeded and because of the anti-degradation policy, the WDR must have limits that demonstrate that the drinking water standard will not be exceeded.

Robert Cerruti of the Perchorate Community Advisory Group (PCAG) and Andrea Ventura, on behalf of Clean Water Action and its members in the Llagas Subbasin, provided comments supporting adoption of the WDR and approval of the resolution.

MOTION: Monica Hunter moved to approve Item 9 and Item 10

SECOND: David Hodgin CARRIED: Unanimously (6-0)

14. Enforcement Report......Status Report Enforcement Coordinator Harvey Packard briefly summarized the written report.

Board members asked for clarification about the various types of Ag enforcement items. They encouraged staff to continue pursuing operations and farms that have not filed for coverage under the Ag Order and suggested ways to identify ag operators that have not enrolled in the Ag Order, such as looking at data collected by the Department of Food and Agriculture and commodity groups. Board members also directed staff to consider policy and long-term implications when evaluating enforcement/penalities for those who choose individual monitoring instead of participating in the cooperative monitoring program and then do not follow through. Board members also requested that future enforcement reports include details for current enforcement actions for failure to pay Ag Order enrollment fees.

Darlene Dinn commented that the electronic NOI for the Ag Order was difficult for some farmers and suggested ways to improve the process.

Danny Merkeley of the California Farm Bureau Federation suggested staff coordinate with State Water Resources Control Board staff currently managing the surface water diversion database as farm operators are currently involved in data entry.

Kirk Schmidt of Water Quality Preservation, Inc. presented a letter to the Board and discussed problems with the Ag Order database, specifically related to his organization's ability to use the data to bill farmers participating in the Cooperative Monitoring Program.

Board members, staff, and Mr. Schmidt further discussed improvements to the data base and related enforcement and billing issues based on the information collected. Board members reiterated the importance of resolving data management issues, continuing to pursue enforcement, and asked staff to keep the Board informed of progress.

Chair Young asked Mr. Schmidt to submit status information by August 15, 2011, for the Board to review.

15. TMDL ProgramStatus Report
TMDL Program Manager Chris Rose summarized the status report. Board member Jean-Pierre
Wolff asked whether the TMDL program was addressing legacy pesticides in any of the TMDL
projects. Mr. Rose briefly described the Santa Maria Watershed TMDL and the legacy pesticide
component of that project.

Mr. Michael Bethke, CEO, 14th District Agricultural Association, on behalf of the Santa Cruz County Fair and Event Center Board, offered to work with staff on Pajaro River Watershed TMDL implementation plan. Dr. Wolff noted that Resource Conservation Districts are currently in a grant cycle that could be helpful for these fairground and creek issues. Mr. Briggs noted that he and Harvey Packard had just been out to the fairgrounds the previous evening as follow up to a meeting with the City of Watsonville. The City is considering College Lake (immediately downstream of the fairgrounds) in it's basin management plans so Mr. Bethke should coordinate with the City and the RCD.

Mr. Steve Shimek, Monterey Coastkeeper and Otter Project, relayed sentiments expressed by Monterey Regional and others regarding Phase II Stormwater Permit issues versus agricultural runoff and the need to reduce disparity between agricultural regulation and others.

Public Comment:

Darlene Din, Agricultural Consultant – Tim Hartz's report was not intended for regulatory support, and the study is applicable to fields with residual nitrogen in the fields (note: the EO Report included this information).

Danny Merkley, California Farm Bureau Federation – Growers have made a lot of improvements in nutrient management over the years and will continue to do so.

- The challenge and necessity of constant prioritization as our framework shifts Staff needs to inform the Board as new issues come up – what is their priority and what other priorities might they affect?
- The Board serves an important function by providing one of the few state agency public forums. We need to answer everyone with complaints/issues even if their issue is not the highest priority for the Board (and recognize that everyone's issue is typically high priority to them).
- What methods can be used to inform the Board members of other Boards' innovative and successful methods that might be helpful in our own region? The State Board Executive Director's report? Mr. Briggs said he would forward the report for the Board to evaluate. The Water Quality Coordinating Committee? Meetings are too infrequent for this purpose.
- How can our Board better inform the public of our accomplishments, priorities, and efforts?
 The Board discussed posting on our web site, getting better at networking and Board
 outreach, and maybe advertising some of the regional issue reports that we already prepare
 but repackaging them as 'State of the Region' updates.

Public Comment:

Darlene Din, Agricultural Consultant – Said she often thinks the Regional Boards should be eliminated but then realizes it is helpful to have a local board so that she doesn't have to make so many trips to Sacramento. It is frustrating that she can't talk to Board members individually about pending items and that the only access is through public meetings. She said it appeared the staff set the priorities and the Board did not change them.

California Environmental Protection Agency

Recycled Paper



Chairman Young adjourned the meeting at approximately 3:00 p.m. The next Board meeting will be held on September 1, 2011, in San Luis Obispo, CA.

This meeting was audio recorded; the minutes were reviewed by management and will be approved by the Board at its September 1, 2011 meeting in San Luis Obispo, CA.

Jeffrey Young

Shared/-Board Meetings/Executive Assistant/Minutes/2011/july14mins sd