



**Terry Tamminen**  
Secretary for  
Environmental  
Protection



**Arnold Schwarzenegger**  
Governor

**MINUTES OF  
REGULAR MEETING  
Friday, September 10, 2004  
Regional Water Quality Control Board**

Chairman Jeffrey Young called the meeting of the Central Coast Regional Water Quality Control Board to order at 8:30 a.m. on September 10, 2004, in the Regional Board Conference Room, 895 Aerovista Place, Suite 101, San Luis Obispo, California.

**1. Roll Call** .....Office Technician Carrie Fauset

**Board Members Present:**

Jeffrey Young, Chair  
Russell Jeffries, Vice Chair  
Leslie Bowker  
Gary Shallcross  
Daniel Press  
Bruce Daniels  
Donald Villeneuve (arrived at 9:00 am)

**2. Introductions** ..... Executive Officer Roger Briggs

Executive Officer Roger Briggs introduced staff and announced that Gary Carlton, State Board Liaison, is unable to attend the meeting.

Supplemental sheets are available for the following items: 12, 13 Q&A, 15 Q&A, 17, 20, 21 Q&A, 22, 23, 24, 25, 26, 27, and 28.

**3. Approval of July 8-9, 2004 Meeting Minutes** ..... Board Motion

Bruce Daniels noted a change on Page 12, Item 25 for the vote count. The word "unanimously" should be stricken since the vote was 3-2.

**MOTION: Russell Jeffries moved approval of the July 8-9 meeting minutes to include the noted change. SECONDED by Daniel Press. CARRIED – Unanimously (7-0).**

**4. Water Quality Awards**.....Board Recognition

Mr. Briggs announced that Michael Higgins, staff engineer, has spearheaded the Water Quality Awards program since its inception. Chair Young presented plaques for the following awardees: James Sandoval and Jose Gamboa, City of Santa

Cruz, Anna May Hackwood, Susan and Thomas Thwaites, and Sally Martinus of Watsonville, Jerry Vincent, U.S. Army Corps of Engineers, Monterey, and the Agricultural Advisory Panel (accepting award: Miranda Leonard and Amy English).

**27. Staff Recognition (Adoption of Resolution Recognizing Michael LeBrun)**..... Board Approval

Mr. Briggs and Chair Young thanked senior staff engineer, Michael LeBrun, for all of his contributions and support to the Regional Board, and presented him with a framed Resolution from

the Regional Board. They also congratulated him on his recent acceptance of the General Manager position at the Nipomo Community Services District.

**MOTION: Russell Jeffries moved to approve the Resolution. SECONDED by Bruce Daniels. CARRIED - Unanimously (7-0).**

**5. Report by State Water Resources Control Board Liaison [Gary Carlton 916/341-5603]..... Status Report**

No report.

**6. Public Forum ..... Board Direction**

Hillary Hauser, Heal the Ocean – commented on the Goleta Sanitary District (GSD) waiver. She believes the issue should be public and not just between the GSD and the Regional Board. Suggested 10 year extension should include the two years that have already passed as a result of delays. Regional Board staff counsel, Lori Okun, noted that she would be contacting the Heal the Ocean attorney and will include Heal the Ocean in the process as much as possible.

The following individuals commented on the Duke Energy Morro Bay Power Plant Discharge Permit:

- David Nelson, Morro Bay resident
- Tom Lory, CAPE
- Mandy Davis
- Henriette Groot, CAPE
- Colleen Johnson
- Jack McCurdy, CAPE
- Peter Risely, Morro Bay resident

Sarah Newkirk, Ocean Conservancy - discussed August 30 letter from Ocean Conservancy. Ms. Newkirk would like to see follow-up of the June 28 timber harvest monitoring workshop. Feels current monitoring is insufficient to verify conditions of waiver are being met. Dr. Press would like Dr. Reid's presentation from staff. Ms. Frediani agreed to supply the workshop videotape of Dr. Reid's presentation. Staff will contact Dr. Reid to obtain what is available from her presentation.

Jodi Frediani, Citizens for Responsible Forest Management – said she asked for information from staff but had not received it and recommends review of previously submitted report from Dennis Jackson (staff will provide as part of workshop materials). Gave Power Point presentation on the changes to the monitoring requirements in timber harvest plans since the Scott Creek plan was adopted in February, 2003. Board Member Daniels asked if she recommended up and down site

monitoring, and she said yes. Mr. Daniels asked if she had specific recommendations for the Board for monitoring. Ms. Frediani said no, but referred to the Jackson report .

David Van Lennep, Forester - recommends review of previously submitted letters (staff will provide key letters for workshop materials).

Eric Greening, commented on rural growth and use of septic tanks. Expressed concern regarding growth in rural areas and the inadequacy of septic disposal facilities in San Luis Obispo County. He asked the Board to conduct a study session on this issue in SLO County.

Linde Owen – questioned if the Los Osos CSD had submitted detailed information regarding which specific septic systems in Los Osos are discharging directly to ground water, and said they should be stopped. Also, Ms. Owen questioned whether anyone had considered potential damage resulting from sewage spills from a gravity collection system compared to a STEP collection system. Chair Young said the District's project was the means for stopping the inadequate septic system discharges.

Bob Stark – submitted a comment letter and discussed design of Los Osos wastewater treatment facilities and expressed his concern that errors and omissions occurred in evaluation of collection system alternatives. Mr. Stark recommended that the Los Osos wastewater project be re-engineered.

Al Barrow – Stated that a team of engineers visited Los Osos and proposed a better wastewater project, estimated to cost \$80 million less than the current project. Mr. Barrow asked the Regional Board to direct staff to evaluate his wastewater plan. Chairman Young responded that he did not intend to provide such direction to staff as decisions regarding wastewater project details (treatment method, location, etc.) are the responsibility of the

Chair Young discussed the need to review material from the timber monitoring workshop and to formulate a policy for handling timber harvest activities. They agreed to meet on a Thursday before a regular future meeting, possibly December, to specifically discuss Timber Harvest policy. Mr. Briggs reminded the Board that the December, 2004 meeting is quite full and already has a full day Thursday session planned for the Morro Bay Power Plant. Mr. Jeffries suggested that the February, 2005 meeting be held in the northern part of the region and that timber policy be discussed on Thursday prior to the Friday meeting.

Mr. Briggs reiterated (from the supplemental sheet) that staff will be providing an update on the San Lorenzo River TMDL, a summary of on-going applicable monitoring programs, and will be presenting the regional sediment assessment protocols at the December, 2004 Board meeting. He said staff would also summarize each of the presentations from the workshop. Staff mentioned a change in personnel working on timber issues and suggested that the February 2005 meeting might be better than the December meeting for a timber policy workshop due to change in staff.

*(Chair Young announced a break at 10:55 a.m. The meeting reconvened at 11:05 a.m.)*

**7. Uncontested Items Calendar** ..... Board Motion

Item Nos. 16 and 19 were pulled off the consent calendar for discussion. Board Member Shallcross asked about treatment plant performance concerns with the Camp Roberts facility (item 21) and Senior Engineer Harvey Packard answered that concerns stemmed from the flows being so low, that there is some question as to how the plant will handle flow increases. However, the plant capacity is much

higher than the flow rate and staff will keep an eye on the monitoring results to watch for problems. Board Member Daniels asked about recycling options for Pismo Beach (item 18). Senior Engineer Gerhardt Hubner explained the analysis the City submitted as part of their supplemental environmental project evaluation for a recent penalty case.

**MOTION: Bruce Daniels moved to approve Items 15, 17, 18, 21 and 22. SECONDED by Russell Jeffries. CARRIED – Unanimously (7-0).**

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

Avis-Rent-A-Car (Panosian Property), 5680 Hollister Avenue, Goleta, Santa Barbara County - Regional Board Member Bruce Daniels did not agree with the recommended closure of this case. His concern was with 150 micrograms per liter ( $\mu\text{g/l}$ ) benzene, 150 times the maximum contaminant level (MCL) of 1  $\mu\text{g/l}$ . Senior Engineer Eric Gobler informed the Regional Board of a late facsimile from the City of Goleta and conveyed their concerns; 1) groundwater contamination exceeds MCL, 2) the site has not been fully assessed, and 3) there are two supply wells within 1000 feet of the site. Mr. Gobler stated that after considering Goleta's concerns, staff's recommendation was to close the case. Mr. Gobler

indicated that a petition has been filed with the State Water Resources Control Board for closure, and that the petition was being held in abeyance pending the outcome of staff's closure recommendation.

Kate Sulka, Hazardous Materials Supervisor of the Santa Barbara County Fire Department, stated that if land use were to change in the future, the Responsible Party would be required to conduct additional soil investigation and a risk assessment. This requirement would be identified in a deed restriction. Ms. Sulka confirmed that she supported the Regional Board staff closure recommendation.

**MOTION: Daniel Press moved to deny case closure. SECONDED by Bruce Daniels. CARRIED – Unanimously (7-0)**

**9. Underground Tank Program & MTBE Cases** ..... Status Reports

Board Member Villeneuve recused from this item.

California Water Service Company Supply Wells, Pajaro Street and Bridge Street, Salinas, Monterey County:

Board Members Jeffries and Daniels had questions on the next steps in finding the source of contamination in the supply wells affected by MTBE. Chairman Young had a question on the subsurface transport of MTBE in groundwater. John Goni, Water Resource Control Engineer, explained the strategy to date was to look at existing and closed underground tanks closest to the wells as a potential source. Several possible sites have been

eliminated as a source of MTBE. Subsequent step-out phases of the investigation have also been unsuccessful in finding a source. Since the source has not been found, it was suggested to start at the wellhead and enlist the help of the water company in conducting the investigation. Board counsel advised staff could direct the water company to do an investigation if an inter-aquifer transfer of contaminants was suspected.

**10. Perchlorate Cases [David Athey 805/542-4644]**..... Status Reports

Regional Board staff engineer, David Athey, provided the Board with a brief update on the Olin Corporation site. He noted that a detailed update on

all the perchlorate sites will be provided at the December Board meeting.

**11. Corrective Action Approval [Wei Liu 805/542-4648]**..... Status Report

A written report was submitted for this item.

**12. Avila Pier Petroleum Contamination** ..... Information/Discussion/Board Approval  
[Diane Kukol 805/542-4637]

Staff Engineering Geologist Diane Kukol presented the staff report. Board Member Daniels asked about consideration of other remediation. Ms. Kukol said the EIR evaluated options. Also, an overriding consideration was to evaluate risks from leaving petroleum in place and then decide what to do. Executive Officer Briggs read a letter of support for staff's recommendation from Avila business owner, Mr. Leonard Cohen. Mr. Tom Guernsey of Avila Beach was the only public speaker on this item. He voiced concerns that staff from any agency should not be relinquishing oversight on any segments of Avila Beach until an overdue San Luis Obispo County-sponsored report on the Avila Front Street cleanup is distributed for agency and public review. Mr. Guernsey told the Board he would like to present his own evidence at the December 2004 Board meeting indicating the

Front Street excavation insufficiently addressed cleanup in portions of the town. The Board agreed they would consider his discussion at the December meeting if he will provide his information for staff's agenda preparation.

Mr. Briggs pointed out that staff's recommendation is not the end of this story. The recommendation includes continuation of the "plume" monitoring program and updating of the contingency plan as necessary. The Board discussed staff's recommendation to allow buried petroleum hydrocarbons to remain in their present location under and in the vicinity of Avila Pier and staff's justification that indicated removal of the hydrocarbons would be more harmful than leaving them in place.

**MOTION: Don Villeneuve moved to approve the staff recommendation. SECONDED by Daniel Press. CARRIED – Unanimously (7-0)**

*(Chair Young announced a break for lunch and Closed Session at 12:55 p.m. The meeting reconvened at 1:55 p.m.)*

**13. Enforcement Report [Gerhardt Hubner 805/542-4647]..... Status Report**

A written report was submitted for this item. Board Member Daniels noted the large number of Santa Cruz City wastewater spills.

**16. City of Lompoc WWTP, Santa Barbara County [Mike Higgins 805/542-4649]..... Order No. 2004-0072**

Chair Young read the opening statement. Mr. Briggs indicated that since this item came off the consent calendar due to a previously submitted question from a Board Member, staff member Michael Higgins will not make a full staff presentation but simply answer the question. Mr. Higgins said the City of Lompoc requested the Board direct its \$6,000 penalty to a Supplemental Environmental Project (SEP) conducted by the Central Coast Vineyard Team (CCVT). Board Member Shallcross' question concerned how the

CCVT would specifically use the funds. Mr. Higgins and Susan Halpin, the City of Lompoc's supervisor of the wastewater plant, said the money would fund two workshops on agricultural management practices designed to protect water quality. In particular, funding would pay for staff time to notify growers in the Lompoc vicinity, set up and conduct the workshops, room rental and mailing costs. The funds would prompt work in the Lompoc area that would not otherwise be done by the CCVT.

**MOTION: Gary Shallcross moved to approve the staff recommendation for Order No. 2004-0072. SECONDED by Bruce Daniels. CARRIED – Unanimously (7-0)**

**19. South San Luis Obispo Sanitation District WWTP, San Luis Obispo County ..... Order No.2004-0050 [Sorrel Marks 805/549-3695]**

Regional Board staff Sanitary Engineering Associate Sorrel Marks responded to questions regarding performance based secondary treatment standards and development of bacterial limitations. Regional Board Members expressed concern regarding BOD and suspended solids limits for this facility which are less stringent than standard secondary limits. District Engineer John Wallace went over the history of the limits and said about

\$10 Million in improvements were based on the modified secondary standards.

Chair Young asked about follow-up shellfish testing for this outfall. Ms. Marks and Mr. Wallace both answered questions about testing shellfish after disinfection changes, with good monitoring results.

**MOTION: Russell Jeffries moved to approve Order No. 2004-0050 as written. SECONDED by Gary Shallcross. CARRIED – (5-2) Daniels and Press opposed.**

**20. South County Regional Wastewater Authority WWTP, Santa Clara County..... Order No.2004-0099 [Matthew Keeling 805/549-3685]**

Regional Board staff engineer, Matthew Keeling, presented the proposed Order and discussed concerns of downstream stakeholders regarding the

proposed Pajaro River Discharge, and provision in the proposed Order that address those potential problems. Mr. Keeling pointed out the

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supplemental sheet with a proposed change to the  
Order regarding future TMDLs and recommended  
adoption of the Order as proposed, with the  
amendment.

Board Member Daniels commented that salt loading to the groundwater basin is a big issue since sodium impacts on agriculture can occur at levels of 69 mg/L, with severe effects occurring at levels of 200 mg/L. In addition, the Discharger is only reclaiming 1 MGD out of 3 MGD during the summer months and high salts concentrations in the effluent will limit the ability to recycle more in the future. Mr. Keeling agreed that salt loading was a real concern, but also noted that effluent salts concentrations, particularly sodium and chloride, have decreased considerably over the last six years or so due to the Discharger's pretreatment program. Mr. Daniels questioned why the secondary effluent salts limits were so high compared to water quality objectives in the Basin Plan and expressed concern that we were setting limits that would allow increases in effluent salts. Mr. Keeling indicated the Basin Plan numbers were not representative of actual groundwater quality in the disposal area and in many cases background conditions did not meet the Basin Plan water quality objectives. Board Member Press suggested that we should set lower salts limits to help improve effluent salt discharges from the facility. Mr. Daniels suggested lowering the secondary effluent limit for sodium to 150 mg/L since the annual average high concentration was 140 mg/L. Mr. Keeling indicated that reducing the effluent salts limits would do nothing more than put the Discharger at risk of violating the limits since the Discharger was already reducing salts in the facility influent. Mr. Keeling also stated that the previous permit contained no secondary effluent salt limits and the chosen method to regulate salt loading was the addition of a provision for a Salt Management Plan in the proposed Order requiring the Discharger to evaluate salt loading to the groundwater basin on an annual basis with additional requirements for proposing corrective measure to further reduce salt loading. Executive Officer Briggs indicated the Discharger would not be subject to mandatory minimum penalties for violations of reduced salts limits for land discharges and there did seem to be plenty of room for tightening limitations to encourage salt improvements.

Mr. Jay Baksa, City Administrator for Gilroy and Executive Director of SCRWA, spoke briefly in support of the proposed Order and stated SCRWA's continued commitment to the high level of

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wastewater treatment facility operation and full compliance with Regional Board requirements.

Dr. Press asked Mr. Baksa if a sodium level of 150 mg/L was achievable. Mr. Baksa referred this question to SCRWA's engineering consultant Mr. Christopher Cain (Montgomery Watson Harza), who indicated that they needed to evaluate the data with respect to new limits and that there was no technical basis in support of lowering the secondary effluent limits. Mr. Briggs asked Mr. Cain if it would be easier to sell reclaimed wastewater with lower salts concentrations. Mr. Cain agreed, but indicated that the Discharger would rather use the management approach of the propose Order to limit salts rather than enforcement, and that they were not comfortable with lower numbers without additional study. Mr. Baksa asked the Board if there were any other significant issues in addition to the salts limits. The Board responded no and Chairman Young suggested hearing from the rest of the speakers before proceeding with the salts discussion.

Mr. John Ricker, Director of Land Use and Environmental Water Quality for the Santa Cruz County Environmental Health Services conveyed the Santa Cruz County Board of Supervisors' strongest opposition to the proposed Pajaro River discharge and expressed concerns over downstream flooding and water quality. Mr. Ricker indicated that additional controls and safeguards were needed if the proposed Order were to be approved (e.g., tighter nitrogen and salt controls).

Ms. Tracy Hemmeter, water reclamation coordinator for the Santa Clara Valley Water District, expressed the district's support for the proposed Order and briefly discussed the joint water reclamation program between the water district and SCRWA.

Board Member Jeffries expressed concerns about flooding, temperature effects, nutrient loading to the Pajaro River and salts loading to the groundwater basin. Mr. Daniels indicated the Pajaro River discharge would cease well below flood stage. Dr. Press recommended new effluent limits of 800 mg/L - TDS, 180 mg/L - chloride, 150 mg/L - sodium, and 80 mg/L - sulfate, that were approximately 20% above the maximum effluent concentrations presented in Table 2 of the proposed Order. Mr. Baksa requested a break to discuss the proposed numbers with members of the Authority and his engineering consultant. After the break Mr. Baksa indicated they still felt a more detailed study was needed to develop technology-

based limits, but that they were willing to split the difference between Dr. Press' proposed limits and the limits contained within Table 15 of the proposed Order. SCRWA's proposed compromise limits were 900 mg/L – TDS, 200 mg/L – chloride, 175 mg/L – sodium, and 150 mg/L – sulfate. Dr. Press indicated that he would not accept SCRWA's proposed limits since his were reasonable and provided sufficient buffering against possible violations. Mr. Daniels agreed with Dr. Press's numbers and did not see a problem with accepting them since the Regional Board would have discretion regarding formal enforcement against the Discharge in the event they were exceeded. Board Member Shallcross indicated he was okay with the SCRWA numbers while Board Member Bowker preferred Dr. Press' numbers. Board Member Villeneuve indicate that he didn't think it was appropriate to negotiate effluent limits and that water reclamation was the real driver behind reduced salt concentrations, not lower limits and

potential enforcement. Mr. Baksa indicated that he could not agree to lower limits without going to his Board for approval. Mr. Andrew Faber, SCRWA legal counsel, expressed his concerns over reduced secondary effluent limits because SCRWA has limited control over influent salts. Although the current Board indicated it would exercise judgment about enforcement against SCRWA for secondary effluent salt limit violations, future Boards may not be as lenient. Mr. Faber urged the Board to adopt SCRWA's proposed compromise numbers and move on.

Mr. Shallcross proposed using Dr. Press's concentrations as triggers within the Salt Management Plan for notification and additional evaluation while using SCRWA's proposed numbers as the new secondary effluent limits in Table 15 of the Order. Mr. Baksa indicated that proposed change was acceptable to SCRWA.

**MOTION: Board Member Shallcross moved to approve the proposed Order with tightened salts limits and triggers added to the salts management plan and with the recommended change in the supplemental sheet regarding future TMDLs. SECONDED by Daniel Press. CARRIED – Unanimously (7-0).**

**23. Castro Valley Ranch Timber Harvest, THP No. 1-04-127 SCL.....Resolution No.R3-2004-0078**  
Santa Clara County (*Waiver of Waste Discharge Requirements*) [Bill Arkfeld 805/542-4627]

Staff Engineer Bill Arkfeld presented the staff report and the supplemental sheet which recommended a change in the monitoring program to notify staff promptly if roads are impassable. Mr. Arkfeld recommended approval of the conditioned waiver through adoption of the resolution.

Bob Berlage, Big Creek Lumber – Timber Harvest Plan (THP) documents thoroughly address all aspects of road and crossing construction and mitigation.

Sarah Newkirk, Ocean Conservancy - Opposes waiver on grounds that monitoring is inadequate to verify that conditions of the waivers are being met.

Jodi Frediani, Citizens for Responsible Forest Management - Comment time is insufficient for public comment on the final CDF approved THP document, when there have been many changes to evaluate. She said that turbidity and pre-first storm photo monitoring should be required.

Chairman Young said –the Resolution needs language that requires the forester to correct problems as soon as possible. Bob Berlage explained Big Creek's Road Inventory Program.

Mr. Shallcross asked who decides if a change to plan between drafting the conditional waiver Resolution and the Board meeting is significant? Mr. Arkfeld said he does, and there weren't any for this THP. Mr. Shallcross asked about the public review process meshing with CDF's process. David Van Lennep (Forester – Redwood Empire) explained the THP review process (45 day review).

Mr. Daniels noted that it seemed the final THP was available only after the Board's cutoff for comments. He said the language regarding the impassable road should be removed and there should be photo point monitoring before the first storm.

**MOTION: Board Member Bowker moved to approve Resolution No. R3-2004-0078 with changes to waiver language about repairing infrastructure, retaining monitoring and maintenance for the life of the**

waiver, removal of monitoring access restriction (that is, do not use the supplemental sheet language), and addition of pre-first storm photo monitoring . **SECONDED** by Daniel Press. **CARRIED** – (6-1) Daniels opposed.

**24. Filice Timber Harvest, THP No.1-04-115 SCR, Santa Cruz County.....Resolution No. R3-2004-0128 (Waiver of Waste Discharge Requirements) [Bill Arkfeld 805/542-4627]**

Staff Engineer Bill Arkfeld presented the staff report and the supplemental sheet. Mr. Arkfeld recommended approval of the conditioned waiver through adoption of the resolution. Mr. Briggs added that staff recommends the same changes to the waiver language made in the previous agenda item about repairing infrastructure, retaining monitoring and maintenance for the life of the waiver, and the addition of pre-first storm photo monitoring. Kevin Collins (Lompico Conservancy) stated he felt the plan was not a low threat because of significant infrastructure, cumulative impacts from other Scott Creek Watershed THP's, and presence of Coho lower in the watershed. He would like to see a different way of looking at impacts that is based more on landscape evaluation.

has a winter operations plan. It is hard for public to comment on the final THP document because it often is approved with little or no time left in the waiver comment period. Ms. Frediani also commented that the waiver language does not explicitly say that infrastructure will be maintained for the life of the waiver.

Jodi Frediani - Disagrees with staff that downstream Coho will not be affected. This THP

Gary Paul (Forester) – commented that the plan was high in the watershed and not a threat to the downstream fishery.

Board Members discussed the difficulty of having the same questions coming up regarding individual waivers without having better answers. Board Member Press said he did not want to consider any more individual waivers until the Board has had the policy discussion in February.

**MOTION: Board Member Daniel Press moved to approve Resolution No. R3-2004-0128 with changes to waiver language about repairing infrastructure and retaining monitoring and maintenance for the life of the waiver, addition of pre-first storm photo monitoring, and correction to typo. SECONDED by Bruce Daniels. CARRIED – (5-2) Shallcross and Villeneuve opposed.**

**25. Funding for the Cooperative Monitoring Program for Irrigated Agriculture and Farm Water Quality Courses ..... Board Approval [Julia Dyer 805/594-6144 and Alison Jones 805/542-4646]**

Alison Jones of Regional Board Staff presented a funding request for \$50,000 from the Guadalupe Settlement Fund to be used to provide fourteen Farm Water Quality Planning short courses in San Luis Obispo and Santa Barbara counties over the next three years. These courses guide growers through development of farm water quality management plans, which are a required condition of the new waiver for irrigated agriculture.

would provide for one year of monitoring at ten sites in the Santa Maria and Oso Flaco watersheds.

Julia Dyer discussed the consistency of the proposed projects with the Board-approved “blue-print” for use of the Guadalupe funds.

Alison Jones also presented a funding request for \$504,000 from Guadalupe Settlement Fund to be used to support establishment of the Cooperative Monitoring Program, which was adopted as part of the waiver for irrigated agriculture. In addition to providing for program establishment, the funds

Board member Bruce Daniels expressed a problem with giving money to dischargers, and concern that since the use of the \$504,000 was ill-defined, the Board could be giving money to a group that may not do anything. He asked staff to respond.

Alison Jones noted that prior to any money being released, a detailed scope of work and budget would be developed and put into a contract.



Laura Guidice Mills, representing the Salinas River Channel Coalition spoke about the commitment made by staff and the Executive Officer to try to assist with start up, and said that industry cooperation was needed for the program to succeed. She said the Regional Board recognized the need for funding to assist with Phase I. She also noted that during recent testimony at the Section 303(d) Listing Policy workshop, she testified about the need for incentives to prevent listings or to delist waterbodies, such as enrollment in the conditional waiver. Growers will see the benefit of participating.

Richard Quantt of Grower-Shipper Vegetable Organization stated that there is a high demand for the Farm Water Quality short courses and urged the Board to move forward on that grant. He also commented on Mr. Daniels' concern about funding dischargers to meet their requirements and noted that the funding was for Phase I only. This was negotiated because of the short time before monitoring needed to begin and the fact that no mechanism existed to assess growers. He stated that Phase II was intended to be self-funding, but the difficulty right now is that there are seven counties involved and agriculture is not yet organized on a regional basis. He expressed appreciation for the Board's support.

Board Member Daniel Press noted that he was supportive of the \$50,000 grant for the Farm Water Quality short courses. He stated that a detailed budget for the \$500,000 grant, with a calendar of deliverables, would make him more comfortable.

Chair Young asked if there would be a way for the item to come back to the Board for revision if the Board voted to start monitoring. Board Member Bruce Daniels asked if they could allocate a piece between now and the next meeting.

Alison Jones responded yes, but that some tasks need to be done soon before monitoring can begin,

**MOTION: Les Bowker moved that the Board approve the dollar amounts, with staff coming back to the Board with a detailed budget and contract for the Cooperative Monitoring Program. SECONDED by Russ Jeffries. CARRIED - (4-2) Bruce Daniels and Gary Shallcross opposed.**

**26. Reports by Regional Board Members ..... Status Report**

Russ Jeffries and Bruce Daniels (Arana Gulch subcommittee) discussed the meeting they attended with staff regarding the Arana Gulch watershed,

such as receiving bids, hiring staff or contracting out the monitoring.

Russ Jeffries stated that the Board made an obligation to provide money for monitoring in the north and south, and suggested that staff work on the contract and come back in October. He noted that it is important to get the monitoring going and if there are problems with the whole amount, approve a certain percentage so the process isn't slowed.

Executive Officer Roger Briggs said that although the Board was not obligated to fund the monitoring, there had been discussion about helping out with both Guadalupe and PG&E settlement funds. He noted that it makes sense for the Board to approve the funding so staff can get started and keep the process going, with the caveat that staff will come back at the next meeting and the meeting after that with a report on how it is going with the release of funds for deliverables. The Board can evaluate and determine if continued fund use is appropriate.

Alison Jones asked if it would be possible to go ahead and develop the scope of work and budget with the understanding that they could be modified by the Board.

Daniel Press asked if it would be for the proposed amount, or more.

Alison Jones said it would be for the proposed dollar amount and money would be released for specific invoices. If the amount changed, staff would come back to the Board to modify the contract.

Board attorney Lori Okun stated that normally the Board approves the amount and staff develops a contract, which is between the fund and the grantee. The grant could be written to make it subject to change by the Board, with all parties agreeing.

and that they were also invited to the Gulch Alliance meeting on September 16, and to a field trip on a date to be determined.

**27. Staff Recognition** ..... Board Approval  
(Adoption of Resolution No. R3-2004-0149 Recognizing Los Osos Wastewater Project Team)

Executive Officer Briggs summarized the long-term dedicated team efforts to resolve water quality problems in Los Osos and introduced a Resolution of Appreciation for Regional Board Members and staff who individually worked on the issue, State

Board member and staff, and CalEPA staff participants. Regional Board Member Daniels requested similar recognition for the exemplary efforts of the Los Osos CSD General Manager, Bruce Buel, and Board of Directors.

**MOTION: Bruce Daniels moved adoption of the Resolution. SECONDED by Russ Jeffries. CARRIED – Unanimously (7-0)**

**28. Executive Officer’s Report** [Roger Briggs 805/549-3140]..... Information/Discussion

Executive Officer Briggs summarized the recent multi-agency efforts to attain Coastal Development Permit approval for the Los Osos Wastewater Project, culminating in approval of the permit at the Coastal Commission’s August 11, 2004, public meeting.

Julie Tacker stated her belief that letters included in the agenda package are filled with errors, that groundwater graphs used by the Regional Board Executive Officer in presentation to the Coastal Commission misrepresent groundwater data, and that Mr. Briggs made an error in his presentation regarding the number of septic tanks. She asked about permit applications for groundwater pumps. Regional Board staff, Gerhardt Hubner, clarified that the groundwater graphs accurately reflect San Luis Obispo County and Los Osos CSD groundwater monitoring data.

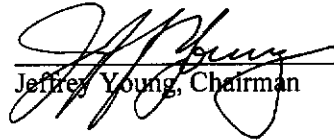
Al Barrow read a newspaper article regarding his opposition to the community wastewater project permit and his efforts to delay project implementation, and asked for people to send him money for the effort.

Regional Board Chairman Young read comments submitted by Lisa Schicker. Ms. Schicker’s comments indicate her support for a wastewater project at some other location and that many issues are yet unresolved.

Gail McPherson stated she wants a community wastewater project and indicated she hoped for careful consideration of project details to avoid unintended consequences.

Chair Young adjourned the public meeting at 8:00 p.m.

The meeting was video recorded and the minutes were reviewed by management, and approved by the Board at its October 22, 2004 meeting in Santa Barbara, California.

  
Jeffrey Young, Chairman