



California Regional Water Resources Control Board

Central Coast Region



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Secretary for
Environmental Protection

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Arnold Schwarzenegger
Governor

MINUTES REGULAR MEETING Friday, September 7, 2007 Central Coast Regional Water Board

Chairman Young called the meeting of the Central Coast Water Board to order at 8:35 a.m. on Friday, September 7 2007, 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
Les Bowker
John Hayashi
David Hodgins
Monica Hunter
Daniel Press
Gary Shallcross

2. Introductions Executive Officer Roger Briggs

Executive Officer Briggs introduced staff and congratulated Board members Hodgins and Shallcross on their Senate confirmation. Mr. Briggs asked parties who wished to speak to complete testimony cards and turn them in. Documents that were prepared after the agenda was sent out are as follows: Items 14-15/letters and Q&A document, Item 18a/letter re Olin site, Item 23/letter and an email.

Mr. Briggs presented Allison Dominguez with a Certificate of Appreciation for two years of great service. Allison is moving on to start a new retail business here in SLO County.

3. Resolution for Angela Carpenter..... Resolution No. R3-2007-0082

Executive Officer Briggs presented Angela Carpenter with a Resolution for twenty-five years of exemplary service at the Water Board. Mr. Briggs noted several of Angela's accomplishments during her career at the Water Board. He presented Angela with a watch and wished her the very best in her retirement. Lisa McCann presented Angela with a floral bouquet. Chair Young congratulated Angela and wished her the best of luck.

4. Approval of July 6, 2007 Meeting Minutes Board Motion

MOTION: Russell Jeffries moved to approved the July 6, 2007 meeting minutes.
SECOND: Daniel Press
CARRIED: (8-0)

5. Uncontested Items Calendar Board Motion

MOTION: Daniel Press moved to approve Items 9. 11. 12. 13. 14. 17, and 18 for the consent calendar.

SECOND: Russell Jeffries

CARRIED: Unanimously (8-0)

MOTION: Russell Jeffries moved to approve Item 16 for the consent calendar.

SECOND: Daniel Press

CARRIED: (7-0) Note: David Hodgkin abstained.

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

No report at this time.

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

Mr. Briggs covered items in the low threat and general discharge cases. He asked the Board if there were questions. Chair Young asked about enrollment of the region's wineries. Harvey Packard noted that staff is working on a revision to the Order when it comes up for its five year renewal. Chair Young asked if any wineries have not applied for WDRs. Matt Thompson will provide a report at the December meeting.

10. Enforcement Report..... Status Report

Chair Young asked about the Ventana Inn violation. Harvey Packard noted that the discharger has old and poorly designed infrastructure. The site is very steep and difficult to manage. Staff will provide the Board with an update on the site at the October meeting. Board member Jeffries noted a build up of violations for the California Men's Colony. Mr. Packard noted that their new system is up and running and we are looking forward to a reduction in violations.

19. Regional Board Meeting Schedule for 2008..... Board Approval

Mr. Briggs noted that Board member Hodgkin has potential conflicts with the May and July 2008 dates. Board member Jeffries noted that if the dates are extended to two-day meetings it would cause conflicts with his schedule.

MOTION: Daniel Press moved to approve the 2008 Board Meeting Schedule.

SECOND: John Hayashi

CARRIED: Unanimously (8-0)

21. Reports by Central Coast Water Board Members Status Report

Board member Jeffries attended the Monterey Bay National Marine Sanctuary Advisory Council meeting. The main topic was establishing no-take zones in Federal waters adjacent to the Monterey Bay Sanctuary. Mr. Briggs noted that the Water Quality Coordinating Committee (WQCC) meeting is scheduled for October 29-30, 2007 in San Diego. Board member Hodgkin asked about the WQCC meeting and its purpose. Mr. Briggs and Chair Young explained the importance of the meeting and the attendees.



22. Executive Officer's Report Information/Discussion

Mr. Briggs stated that Assistant Executive Officer Michael Thomas provided a written update on the once-through cooling policy proposed by the State Board. Staff will keep the Board posted on the policy as it develops. Board member Shallcross asked for an update on the issue at the next meeting. Board member Press asked about MTBE statistics. He asked for clarification on the number of new cases and the percentage that have MTBE. Burton Chadwick clarified that 50% of the cases have MTBE. Chairman Young asked for any available data for the CCAMP program. Board member Hunter was encouraged that the CCAMP staff was able to raise awareness of Ocean Protection Council (OPC) staff of the existence of water quality data developed by the CCAMP and CCLEAN programs. Karen Worcester reported that she dialoged with OPC staff on the possibility of matching funds for monitoring, however, the most recent dialog with OPC staff reflected that they would rather pursue funding for implementation. Ms. Worcester continued to answer questions and provide information to the Board. Board member Bowker asked about mitigation for Guadalupe and the allocation of funds from natural areas to developed areas. Board member Hunter asked about the Challenge of Board Action item.

(Board member Hayashi left the meeting at 9:40 a.m.)

- 4. **Fourwaters NTMP Timber Harvest** Order No. R3-2007-0073
and
- 15. **Eureka Gulch I THP Timber Harvest** Order No. R3-2007-0079

Staff Environmental Scientist Julia Dyer presented items 14 and 15 concurrently. The items presented the first Individual Waivers of Waste Discharge Requirements for timber harvest activities in the Central Coast Region since July 2005. Staff presented these concurrently as the items share a large amount of common information. Additionally, staff provided the Water Board with site specific information as appropriate.

During Water Board discussion and deliberation, Board Members discussed the following topics: winter operation period; monitoring on weekends and holidays; monitoring during hazardous conditions; improvement of private roads; alternatives to turbidity grab sampling; specific landslide features within Fourwaters NTMP property boundaries; cross-falling of trees; and the California Department of Forestry's incorporation of review team concerns into the final approved plan.

Additionally, the Water Board expressed their approval of including Water Board staff Engineering Geologists on timber harvest inspections for their consultation and recommendations towards site specific unstable areas that may pose a threat to water quality and its beneficial uses.

During public testimony the Water Board heard from, C. Bill Vaughn (Forester); Michael J. Duffy (Forester); David Van Lennep (Forester); Eric Moore (Landowner); Steve Dousman (Landowner); Kevin Collins (Lompico Watershed Conservancy); Jody Frediani (Sierra Club); Joey Racano (Ocean Outfall Group).

(Item 14)

MOTION: Daniel Press moved to adopt Order No. R3-2007-0073 (Fourwaters NTMP) with modifications as described in the supplemental sheet, the elimination of monitoring station T5, and modification of the monitoring stations on the east side of the property as described during the staff presentation.

SECOND: David Hodgkin

CARRIED: Unanimously (7-0)



(Item 15)

MOTION: Daniel Press moved to adopt Order No. R3-2007-0079 (Eureka Gulch THP) including modifications as described in the supplemental sheet to the item.

SECOND: Russell Jeffries

CARRIED: Unanimously (7-0)

23. Los Osos Wastewater Project Update by San Luis Obispo County Status Report

Staff Counsel John Richards participated via conference phone on this item. Assistant Executive Officer Michael Thomas introduced County Supervisor Bruce Gibson and County Deputy Public Works Director Paavo Ogren. Supervisor Bruce Gibson thanked the Water Board for the opportunity and emphasized that a great deal of progress has been made since the County's last update in July 2007.

Paavo Ogren provided a brief summary of the County's written update regarding their process for developing a wastewater facility for the community of Los Osos. Mr. Ogren mentioned the major previous milestones, such as the May 2007 Fine Screening Report. Mr. Ogren focused on the events that occurred since the County's update to the Water Board in July 2007, listed below:

Date	Board of Supervisors Action Item
July 17, 2007	Approved Policies regarding Proposition 218 Property Owner votes (ballots) – Attachment "C"
July 24, 2007	Board of Supervisors approves water resource actions – Planning Department; Resource Management System
August 7, 2007	Considered status of Coastal Development Permit for the (LOCSD) project and directed staff to <u>not</u> pursue an extension
August 14, 2007	<ul style="list-style-type: none"> ✓ Considered the Project Screening Analysis ✓ Considered the Pro/Con analysis by the Community Technical Advisory Committee ✓ Approved Project Selection Strategies – (Attachment "D")
August 21, 2007	<ul style="list-style-type: none"> ✓ Approved Resolution establishing Boundary Map of the County Assessment District ✓ Approved Resolution of Intention to Undertake Proceedings (Municipal Improvement Act of 1913 etc...)
August 28, 2007 (Pending)	Staff Recommendations: <ul style="list-style-type: none"> ✓ Approve Resolution Preliminary Approving the (Assessment) Engineers' Report and Set October 23, 2007 as date of Protest Hearing ✓ Approve the Form of the Prop 218 Ballots and Ballot Package ✓ Instruct Clerk of the Board to Initiate Ballot Proceedings

Mr. Ogren also noted that the County did not request an extension of the Coastal Commission permit regarding the Tri-W site, which means the County would have to re-apply for a Coastal Commission permit.

Mr. Ogren stated that the 218 ballots have been mailed to Los Osos residents (property owners only), and that some ballots have already been submitted by voters. Mr. Ogren noted that the ballot results will likely be known in late October. Mr. Ogren also expressed appreciation for the Technical Advisory Committee member efforts, and summarized the cost elements of the various project alternatives. Total construction costs range from \$93 to \$150 million. Mr. Ogren said the County is focused on developing the most cost effective project for the community. The cost to residents could be up to \$275/month if no grants are obtained. The County will also do affordability analyses and other economic analyses as part of their project development process. Mr. Ogren emphasized the flexibility of the County's process and their ability to consider different types of projects.

Supervisor Gibson closed the presentation by asking the Water Board to consider rescinding the Cease and Desist Orders that have been issued to remove that distraction from the process.

California Environmental Protection Agency

Recycled Paper



The following individuals provided comments on this item:

Kathleen Jensen, Laurie McCombs, Steve Senet, Keith Swanson, Jerri Walsh, Alan R. Martyn, Don Bearden, Gwynn Taylor, Linde Owen, Sandra Hedges, Mark Low, Julie Tacker, Dr. Mary Fullwood, Chuck Cesena, Lisa Schicker, Richard Margetson, Steve Paige, Bruce Payne, Joey Racano, Anne Norment, Steven Paige, Keith Wimer, Chris Allebe, Bo Cooper, Lawson Schaller, Al Barrow, Gail McPherson, Tom Murphy, Elizabeth Allebe, David Duggan, John Hubbard, Richard Sadowski, Alon Perlman

The Water Board took no action on this item.

20. Public Forum Board Direction

The individuals listed below had public comments:

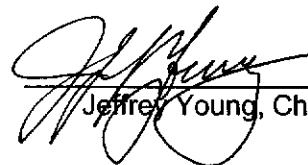
- Alon Perlman, Los Osos resident
- Gail McPherson, Los Osos resident
- Dave Duggan, Los Osos resident
- Al Barrow, Los Osos resident
- Bruce Payne, Los Osos resident
- Chuck Cesena, LOCSO Director
- Lisa Schicker, LOCSO Director
- Richard Margetson, Los Osos resident
- Lyndee Owen, Los Osos resident

18a. Perchlorate Cases Status Report

Board member Shallcross noted that staff has been doing an outstanding job on the perchlorate cases.

Chairman Young adjourned the meeting at 5:34 p.m. The next Board meeting will be held on October 19, 2007, in Santa Barbara.

The meeting was audio recorded and the minutes were reviewed by management and approved by the Board at its October 19, 2007 meeting in Santa Barbara, California.



Jeffrey Young, Chairman

H/ALLMYDOCS/BOARD MINUTES/2007/SEP07mins/carol

