

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

STAFF REPORT FOR REGULAR MEETING OF JANUARY 26-27, 2017

Prepared on January 5, 2017

ITEM NUMBER: 20

SUBJECT: Executive Officer's Report to the Board

STAFF CONTACT: John Robertson 805/549-3140 or John.Robertson@waterboards.ca.gov

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

[Phil Hammer 805/549-3882]

The tables on the following pages list applications received and certifications issued from October 20, 2016 - December 15, 2016.

401 Water Quality Certification Applications Received October 20, 2016 - December 15, 2016.

Applicant	Date Received	Project Title	Project Purpose	Location	County	Receiving Water	Proposed Total Impact ¹	Status
County of Santa Cruz - Matt Johnston	10/20/2016	Green Valley Scour Repair Phase 1	To minimize extensive scour at the bridge foundations while a more permanent repair is being reviewed by permitting agencies.	Watsonville	Santa Cruz	Green Valley Creek	0.0114 acres/ 45 linear feet	Withdrawn 10/24/2016
County of Santa Cruz- Russell Chen	10/24/2016	Redwood Road Bridge Replacement	To construct a bridge replacement.	Santa Cruz	Santa Cruz	Redwood Creek	0.028 acres	Under Staff Review
Merced Hospitality, Inc. - Anatol Shliapnikoff	10/27/2016	Westgate Development Project	To develop the Westgate property with the construction of two 20,000 square foot buildings.	Watsonville	Santa Cruz	West Branch of Struve Slough	0.270 acres/ 45 linear feet	Under Staff Review
County of Santa Cruz - Russell Chen	10/28/2016	Eureka Cyn PM 7.58 Culvert Replacement	To repair a culvert damaged from storm events to ensure its structural stability is not compromised.	Santa Cruz	Santa Cruz	Fines Creek	0.025 acres/ 78 linear feet	Under Staff Review
Cal Poly State University - Thomas Moylan	11/8/2016	Cal Poly Marine Science Reconstructed Boat Landing	To renovate a small vessel landing area to provide safe mooring and loading of vessels to and from the Cal Poly Center for Coastal Marine Sciences Pier Facility.	Avila Beach	San Luis Obispo	Pacific Ocean-San Luis Bay	0.00014 acres/ 25 linear feet	Under Staff Review
Venoco, Inc. - Keith Wenal	11/14/2016	Casitas Pier Temporary Fender Pile Repair	To replace corroded and damaged fender piles before the 2016 storm season, in order to enable safe transfer of personnel and equipment on both sides of the pier.	Carpinteria	Santa Barbara	Pacific Ocean	0.0007 acres/ 12 linear feet	Under Staff Review

Applicant	Date Received	Project Title	Project Purpose	Location	County	Receiving Water	Proposed Total Impact¹	Status
Santa Cruz County Flood Control District - Bruce Laclergue	11/23/2016	Pajaro River Lagoon Sandbar Breaching	To allow the lagoon to drain to the ocean, preventing flooding of public roads, agricultural and residential lands, and intermingling of lagoon waters with raw sewage.	Between Palm and Zmudowski State Beaches	Santa Cruz, Monterey	Pajaro River Lagoon	0.069 acres/ 300 linear feet	Under Staff Review
Frantoio Grove - Jeff Martin	11/23/2016	Frantoio Grove (Lands of Martin)	To realign and widen approximately 2,237 linear feet of West Llagas Creek to meet flood protection standards as part of a of a larger subdivision development project.	San Martin	Santa Clara	West Branch Llagas Creek	0.270 acres/ 2,273 linear feet	Incomplete Application
International Paper Co. - Mark Thompson	12/1/2016	International Paper Erosion Repair	To repair the eroded slope of the storm drain channel in four areas.	Gilroy	Santa Clara	Intermittent stream tributary to Llagas Creek	0.03 acres/ 97 linear feet	Incomplete Application
Presidio Mana Young, LLC - Don Faye	12/9/2016	Watsonville Road Widening	To widen Watsonville Road to the northwest from Monterey Road to Calle Sueno as part of the City's transportation requirements for proposed residential subdivisions at that intersection.	Morgan Hill	Santa Clara	Little Llagas Creek	0.0313 acres/ 126 linear feet	Incomplete Application
City of Monterey - Thomas M. Korman	12/9/2016	Mar Vista Pipe Replacement Project	To repair and eliminate subsurface erosion and maintain proper function and structural integrity of the pipe structures.	Monterey	Monterey	Unnamed tributary to Iris Canyon Creek	0.1 acres/ 8 linear feet	Incomplete Application
City of Monterey - Thomas M. Korman	12/10/2016	Via Paraiso Erosion Repair Project	To increase water quality and pedestrian safety by repairing erosion to an existing pedestrian stairway, installing a retaining wall to prevent further erosion, and replacing the handrail.	Monterey	Monterey	Unnamed tributary to Iris Canyon Creek	0.005 acres/ 21 linear feet	Incomplete Application
City of Carpinteria - Charlie Ebeling	12/13/2016	Carpinteria Avenue Bridge Repair	To replace a structurally deficient bridge with a similar structure at the same location.	Carpinteria	Santa Barbara	Carpinteria Creek	0.22 acre/ 300 linear feet	Incomplete Application

¹⁾ Total Impact includes both temporary and permanent impacts to waters.

401 Water Quality Certifications Issued October 20, 2016 - December 15, 2016.

Applicant	Date Certified	Project Title	Project Purpose	Location	County	Receiving Water	Includes LID Retention Feature²	Total Impact¹
UCSB Cheadle Center for Biodiversity and Ecological Restoration - Lisa Stratton	10/21/2016	North Campus Open Space Restoration Project	To restore the North Campus Open Space to conditions that existed onsite prior to the construction of the Ocean Meadows Golf Course.	UCSB North Campus	Santa Barbara	Devereux Slough and Pacific Ocean	N/A	9.05 acres
Caltrans - Michaela Koenig	10/21/2016	Salinas Box Culvert and Concrete Ditch Sediment Removal	To ensure that the drainage system remains functional, that storm water flows can reach the Andree Clark Bird Refuge, and that the sediment that entered the system during the Montecito Country Club construction is removed before the rainy season.	Santa Barbara	Santa Barbara	Storm water drainage ditch tributary to Andree Clark Bird Refuge	N/A	0.10 acres/ 400 linear feet
Channel Islands National Park - Russell Galipeau	11/17/2016	Scorpion Pier Emergency Repair	To implement a temporary, emergency repair to restore access to Scorpion Anchorage.	Santa Cruz Island	Santa Barbara	Pacific Ocean	N/A	0.02 acres/ 92 linear feet

Applicant	Date Certified	Project Title	Project Purpose	Location	County	Receiving Water	Includes LID Retention Feature ²	Total Impact ¹
Fort Hunter Liggett - William Riley	12/2/2016	Base of Bald Mountain	To allow passage for military training vehicles and to eliminate the potential for a large eroded gully to further cut into the road surface.	Fort Hunter Liggett	Monterey	Ephemeral Tributary to a Tributary of Waller Creek	N/A	0.0919 acres/ 130 linear feet
Fort Hunter Liggett - William Riley	12/2/2016	Milpitas Maneuver Trail Complex	To eliminate a mud hole formed through improper drainage and exacerbated through use in poor weather conditions and to allow for natural flow through the area while giving traction and a hard road surface for vehicles.	Fort Hunter Liggett	Monterey	Ephemeral Tributary to San Antonio River	N/A	0.00283 acres/ 10 linear feet
Fort Hunter Liggett - William Riley	12/2/2016	Mud Hole #1	To eliminate a mud hole formed through improper drainage and exacerbated through use in poor weather conditions and to allow for natural flow through the area while giving traction and a hard road surface for vehicles.	Fort Hunter Liggett	Monterey	Unnamed tributary to Agua Fria Creek, a Tributary to Nacimiento Creek	N/A	0.0077 acres/ 10 linear feet
Fort Hunter Liggett - William Riley	12/2/2016	Mud Hole #2	To eliminate a mud hole formed through improper drainage and exacerbated through use in poor weather conditions and to allow for natural flow through the area while giving traction and a hard road surface for vehicles.	Fort Hunter Liggett	Monterey	Unnamed tributary to Agua Fria Creek, a Tributary to Nacimiento Creek	N/A	0.0427 acres/ 10 linear feet

^[1] Total Impact includes both temporary and permanent impacts to waters.

^[2] Low Impact Development (LID) Retention Features are stormwater management structures designed to retain stormwater on-site, such as bioretention cells, infiltration trenches, etc.

R:\RB3\Shared\401\401 Program\EO Reports\2017\Table for January 29, 2016.doc

STATUS OF UPPER LLAGAS CREEK FLOOD PROTECTION PROJECT

[Jon Rohrbough, 805-549-3458, Jon.Rohrbough@waterboards.ca.gov]

On June 2, 2016, the Santa Clara Valley Water District (District) submitted an application for Clean Water Act Section 401 Water Quality Certification (Certification) for the Upper Llagas Creek Flood Protection Project (Project). This item describes the Project, and provides a summary of the Project's historical background, the Project's environmental impacts and benefits, the Project's public process to-date, and staff involvement with the Project. This item also presents staff's intended permitting approach.

Project Description

The Project is a flood protection project designed to reduce flooding in the City of Morgan Hill and surrounding areas. It involves modifying 10.89 miles of stream channel in the Llagas Creek watershed to increase flow capacity. A map of the project channels is attached (Attachment 5: Project Map). Channels will be deepened and widened, with a bankfull channel designed to improve long-term channel stability and sediment transport equilibrium. Benches will be constructed beside the bankfull channel in many locations, along with engineered upper banks to contain flood flows. In addition, the project will divert high flows in Little Llagas Creek around downtown Morgan Hill through a 0.93-mile-long bypass culvert and tunnel, and divert all flow from upper Little Llagas Creek into Llagas Creek through a new 1.53-mile-long diversion channel. The Project is also designed to stabilize the stream channels and halt ongoing channel incision, improve fish habitat and passage conditions, improve riparian habitat, and reduce post-project stream

channel maintenance (sediment and vegetation management). Modified channels will include fish habitat and migration features, and will be vegetated with habitats ranging from grasses to riparian forest.

Project Background

The Project began as a larger National Resource Conservation Service (NRCS) project for the entire Llagas Creek watershed in 1968. Portions of the larger project were completed in the early 1970s by NRCS, with other portions completed by Caltrans during construction of Highway 101. The United States (US) Congress transferred the project to US Army Corps of Engineers (USACE) control in 1999, which passed the Project to the District in the 2000s to complete the design, environmental review, and construction processes. Public support for the project has grown as a result of 15 flooding events in downtown Morgan Hill over the last 75 years. In 2000, Santa Clara County voters approved a parcel tax to provide the local share of the funding. A 2008 press conference in Morgan Hill, which included local government officials, citizens who had experienced flooding, and the local Congressman, called for construction of the project. An initial Environmental Impact Report (EIR) was prepared in 1982, and a second EIR was completed in 2014.

Impacts and Benefits

The Project's environmental impacts are significant. However, the Project is designed to mitigate those impacts and provide additional distinct environmental benefits. The Project's impacts and benefits are summarized in the table below.

<i>Impacts</i>	<i>Benefits</i>
<ul style="list-style-type: none">• Direct impacts to 10.89 miles of channel• Potential indirect impacts to Little Llagas Creek due to flow diversions• Potential indirect impacts to tributaries due to loss of backwater effects• Reduced soil quality at finished channel elevations• Hardscape in channels	<ul style="list-style-type: none">• Stabilized channels• Equalized sediment transport in channels• Improved fish habitat and fish passage conditions• Cooler water temperatures• Improved riparian habitat• Reduced future maintenance

The Project design incorporates fish habitat and passage recommendations provided by National Marine Fisheries Service (NMFS) staff. Attachment 6 (Post-Project Vegetation Conditions) provides a general qualitative representation of post-project (revegetated) riparian vegetation conditions compared to pre-project riparian vegetation conditions, and indicates an overall improvement in riparian habitat.

Staff Involvement

Central Coast Water Board staff has worked closely with the District since 2011 on the development of the Project. Staff has participated in a permitting committee, providing input together with other agencies on the Project design and mitigation plan. Staff provided comments on the 30% and 65% designs, the 2013 draft EIR, the mitigation plan, and numerous technical studies and reports. The District addressed many of staff's comments in the project design prior to submitting the application. In addition, staff has reviewed the application for Certification and has provided detailed comments on specific aspects of the Project. Staff is working with the District to resolve the remaining issues. Staff has also conferred with NMFS staff regarding the Project, and will continue to do so.

Remaining Issues

Staff believes the Project will provide a net benefit to water quality and beneficial uses; this is, in part, because the District has improved the Project in response to staff's input and work with the District. However, there remain several aspects of the Project that could be improved further. Staff

will continue to work with the District to achieve as much improvement to beneficial uses and water quality as possible. Remaining issues include the following.

1. Staff is working with the District to better ensure channel design and revegetation are wholly based on accurate design flows. Staff continues to find assumptions in the hydraulic model and design that result in over-estimation of design flows in some project channels. Over-estimating design flows can prevent optimization of revegetation and habitat value.
2. Staff has requested the District take all feasible steps to reduce design flows. The District has taken some of these steps, but believes some of the steps requested by staff will not significantly increase revegetation potential, and are therefore unreasonable. Staff is working with the District to determine the sensitivity of the revegetation plan to incremental reductions in design flow.
3. Post-project revegetation is still limited by conveyance capacity concerns. Staff is working with the District to identify where design flows can be reduced so that vegetation (channel roughness) can be increased.
4. The maintenance plan calls for keeping the bankfull channel free from woody vegetation. The bankfull channel essentially contains all stream flows less than the two-year event. It is therefore the "living stream," and the most important part of the channel to protect from maintenance impacts. Staff is working with the District to determine how maintenance can be reduced in bankfull channel areas.
5. The District has not yet fully minimized hardscape or justified its use where unavoidable. Staff has requested hydraulic analysis of the need for all proposed hardscape, and is working with the District to eliminate hardscape or replace it with bioengineering measures where feasible.
6. Monitoring for indirect impacts should be improved. The triggers proposed by the District for determining when habitat loss has occurred and mitigation is needed may not be protective of beneficial uses. Staff is working with the District to improve the monitoring program.

Stakeholder Process To-Date

The Project has widespread local support, and has been broadly publicized as imminent for many years by the District and the City of Morgan Hill. The first draft EIR was published in 1982 and the second in 2013. Public comment on the 2013 draft EIR did not raise any opposition to the project as a whole. Staff provided public notice of the application for Certification for 21 days on the Central Coast Water Board website in June 2016, and received no comments. Staff is not aware of any opposition to the Project.

Planned Permitting Approach

As discussed above, the overall Project design is protective of waters and provides substantial improvements to beneficial uses. In addition, staff believes all remaining issues can be satisfactorily resolved, based on experience up to this point working with the District. Unlike the Certification issued this past year for the Salinas River Channel Maintenance Project (92 miles of river work with on-going maintenance for ten years), the Upper Llagas Creek Flood Protection Project is a capital improvement project that will incur most of the impacts during, and for only a few years after, construction. For these reasons, staff currently plans to seek approval of the Certification from the Executive Officer following the standard process for issuing Water Quality Certifications. Staff will update the Board on the progress of the Certification via the Executive Officer Reports.

See attachment 5 –Project Map and attachment 6 – Post-Project Vegetation Conditions

UPDATE ON BUCKLEY ROAD TRICHLOROETHYLENE (TCE) GROUNDWATER INVESTIGATION

[Dean Thomas(805) 549-3690 Dean.Thomas@waterboards.ca.gov]
[Thea Tryon (805) 542-4776 Thea.Tryon@waterboards.ca.gov]

Central Coast Water Board staff conducted drinking water well testing of 67 supply wells and continue to oversee the investigation of trichloroethylene (TCE) in groundwater in the Buckley Road area. Testing of supply wells started in October 2015 when TCE was discovered at concentrations exceeding the safe drinking water standard in a domestic well near the Thread Lane industrial area. Central Coast Water Board staff re-tested 14 selected wells in June through August 2016 and found that TCE concentrations are generally consistent with earlier sampling results. Currently, 13 wells out of the 67 wells tested exceed the drinking water standard for TCE (5 micrograms per liter). Based on the TCE concentrations and distribution in wells, the primary focus area with TCE concentrations near or above the drinking water standard includes the area surrounded by: Thread Lane (also known as Noll Road), Davenport Creek Road, Evans Road, Angie Lou Lane, Mello Lane, Edna Road, Three Sisters Road, and Airport Drive.

Central Coast Water Board staff required environmental information from several industrial properties on Buckley Road/Thread Lane and from the adjacent airport property. The environmental information and data provided for the industrial properties located on Buckley Road/Thread Lane did not reveal evidence for a source of TCE. Central Coast Water Board staff subsequently requested environmental information from San Luis Obispo County for the regional airport property. On June 3, 2016, Central Coast Water Board staff concurred with the County's workplans for investigating potential sources of TCE on the airport property. The County completed their fieldwork investigation in early September 2016. The results of the County's 2016 soil gas and groundwater investigation provided no evidence supporting a source of TCE present on the airport property in connection with the groundwater plume in the Buckley Road area. Given the results from the County's soil gas and groundwater investigations, the next step is for additional investigation and delineation of TCE were the highest concentrations of TCE occur in the Buckley Road area groundwater plume, which is below the Thread Lane industrial area. Central Coast Water Board staff issued letters to three Thread Lane business property owners on November 17, 2016, that required them to submit workplans for additional investigations by January 16, 2017.

A map and other important information are available on the Buckley Road Area TCE Investigation webpage at:
http://www.waterboards.ca.gov/centralcoast/water_issues/hot_topics/tce_pce_info/tce_pce_index.shtml.

Central Coast Water Board staff will continue to update the community as more detailed information becomes available on the source area investigation. A status update was recently issued by Central Coast Water Board staff on December 7, 2016. The status update is available at:

http://www.waterboards.ca.gov/centralcoast/water_issues/hot_topics/tce_pce_info/docs/2016_12_07_factsheet_buckley.pdf

Attachments

1. Table 3 - Groundwater Section, Case Closure Performance Scoreboard
2. Table 4 - Groundwater Case Closures
3. Table 5 - Enrollments in General Orders/Waivers
4. Table 6 - Drinking Water Dashboard
5. Project Map
6. Vegetation Conditions