

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

STAFF REPORT FOR REGULAR MEETING OF MARCH 20-21, 2008

Prepared on February 20, 2008

ITEM NUMBER: 33

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 January 1, 2008 to January 31, 2008.

WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED FROM JANUARY 1, 2008 THROUGH JANUARY 31, 2008

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage ¹	Mitigation ²	Certified
Miguel Casias-National Park Service	Santa Rosa Island Bechers Bay Pier Replacement	Demolishing and replacing the existing pier at Bechers Bay. The new pier will have the same length as the existing, and it will have four platforms for boat access.	Santa Rosa Island	Santa Barbara	Bechers Bay, Santa Barbara Channel	0.006	To be determined	Pending
Glen Priddy--County of San Luis Obispo	Price Canyon Road Widening Project	Widening the bridge over West Corral de Piedra Creek to add bicycle lanes.	Edna Valley	San Luis Obispo	West Corral de Piedra Creek	0.24	To be determined -applicant proposed to restore 0.2 acres of riparian	Pending
Glen Priddy--County of San Luis Obispo	North River Road Low Water Crossing Repair	Reinforcing the low water crossing by placing 172 cubic yards of concrete on the existing concrete roadway and keying it in on the upstream and downstream edges.	Estrella	San Luis Obispo	Estrella River	0.8	To be determined	Pending

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

² Mitigation acres are reported only for Certified projects. Water Board compensatory mitigation requirements are determined based on area impacted. They are generally 2:1 for streambed impacts, 1:1 for riparian impacts, and 3:1 for wetland impacts. Mitigation acreage is final upon issuance of certification and not shown unless the Water Board has issued certification.

Applicant	Project	Purpose	Location	County	Receiving Water	Total Acreage ¹	Mitigation ²	Certified
Saeid Vaziry South Coast Regional Wastewater	SCRWA South Pipeline Project	Installing a pipeline to convey tertiary-treated effluent from the wastewater treatment plant to the Pajaro River. Also installing an outfall structure and two monitoring stations on the northern bank.	Gilroy	Santa Clara	Pajaro River	0.336	To be determined	Pending
Gene Gonzalo- Caltrans	Uvas Creek Bridge Replacement Project	Replacing the existing Uvas Creek bridge on State Route 152.	SR 152	Santa Clara	Uvas Creek	0.24	To be determined -applicant proposed to restore 0.05 acres of wetland	Pending

WATERSHED REPORTS

Carmel River Lagoon Update [Matthew Keeling 805/549-3685]

There are a number of projects and programs related to Carmel River and Lagoon restoration and enhancement. The following is intended to provide a brief summary of some of these projects and programs and should not be construed as a comprehensive review as staff is becoming increasingly aware of more related activities in the area.

Caltrans Carmel River Mitigation Bank

Following the 1995 floods, Caltrans undertook development of the Caltrans Carmel River Mitigation Bank. The project involved removal of levees along the south bank of the river downstream of Highway 1 and restoration of 43 acres of riparian and wetland habitat. Caltrans expended about \$3 million on the project and completed it in 1997. All work was within the boundary of Carmel River State Beach.

Carmel River Lagoon Enhancement Project

California Department of Parks and Recreation (State Parks) received a \$4 million grant from the Coastal Conservancy in 2001 and a \$750,000 grant in 2003 from the Wildlife Conservation Board for the Carmel River Lagoon Enhancement Project (CRLEP). The CRLEP involves the restoration and enhancement of the lagoon habitat via physical expansion of the lagoon's south arm and planting of new lagoon, marsh, and riparian vegetation. One of the primary purposes of the project is to create more habitat or refuge area for two federally threatened species: specifically, Central Coast steelhead trout and California red-legged frog. State Parks implemented the construction phase of the CRLEP in the summer of 2004. The project significantly expanded the existing lagoon to pre 1900 conditions by excavating a new channel down to below sea level on a 100-acre parcel, formerly Odello family farmland, adjacent to the remnant south channel of the lagoon. The CRLEP project site is owned and managed by State Parks as part of the Carmel River State Beach and is adjacent to the Caltrans Mitigation Bank site. The CRLEP also included a three-year, post-lagoon expansion water quality and biological monitoring program to document the effects of the CRLEP on habitat conditions for steelhead trout and red-legged frogs. Although the lagoon generally does not receive adequate fresh water inputs due to low Carmel River flows in the spring and summer as needed to sustain optimum habitat conditions for steelhead trout throughout the summer, habitat conditions have improved and the CRLEP is considered an overall success.

Carmel River Parkway Vision Plan

In 2005, the Big Sur Land Trust (BSLT) developed the Carmel River Parkway Vision Plan (Parkway Plan) with input from over 250 community members and stakeholders. The Parkway Plan includes public trails, floodplain and riparian habitat restoration and protection, and public education via interpretation and education centers along the parkway corridor. The Parkway Plan calls for restoring 264 acres of lower Carmel River floodplain habitat and 6.4 miles of stream that have been degraded, buried, or diverted into pipelines. Restoration portions of the Parkway Plan are intended to improve and protect threatened riparian habitats and improve hydrologic function for both habitat restoration and flood control. Various stakeholders have been advocating more

watershed friendly alternatives to the existing Highway 1 and Carmel River bridge configuration which acts as a dam to winter flows. The most notable alternative is a causeway over the lower watershed flood plain to restore the meandering habitat as part of the Parkway Plan. This idea is gaining support and momentum.

State Parks is working with BSLT and other local stakeholders to implement the Parkway Plan within Carmel River State Beach. State Parks received \$225,000 in 2005 from the River Parkways Grant Program. This grant provided funding through April 2007 for the various efforts required to establish native vegetation on portions of the 100-acre CRLEP site. State Parks applied for an additional \$315,000 from the River Parkways Grant Program in October 2007, and is awaiting response to their application (Water Board issued a letter in support of the grant application on October 15, 2007). The additional grant will also be utilized to establish native vegetation on remaining portions of the CRLEP site as part of the BSLT Parkway Plan. River Parkways Grant Program funding is from Proposition 40, passed by the voters in 2002.

Integrated Regional Water Management Plan

The Monterey Peninsula Water Management District (MPWMD) is currently leading the planning effort for the development of the *Monterey Peninsula, Carmel Bay, and South Monterey Bay Integrated Regional Water Management (IRWM) Plan*. The IRWM Plan is a collaborative effort of numerous stakeholders including public entities, non-profit entities, and for-profit (commercial) entities in the Carmel Bay, Monterey Peninsula, and Southern Monterey Bay coastal and inland areas. The Big Sur Land Trust (BSLT), City of Monterey, MPWMD, Monterey County Water Resources Agency (MCWRA) and Monterey Regional Water Pollution Control Agency (MRWPCA) form the Water Management Group to guide the development and implementation of the IRWM Plan, as required by State IRWM guidelines. The IRWM Plan funding is generally provided through Proposition 50 funds with future funding available through Proposition 84 funds made available by the California Department of Water Resources (DWR) through competitive grants. The DWR IRWM Program is intended to promote and practice integrated regional water management to ensure sustainable water uses, reliable water supplies, better water quality, environmental stewardship, efficient urban development, protection of agriculture, and a strong economy.

Through a community outreach program, workshops, and deliberation with stakeholders, the following regional priorities were identified in the draft IWRM Plan:

- Meet current replacement supply and future demand targets for water supply and support the Seaside Groundwater Basin Watermaster to implement the physical solution in the Basin
- Reduce the potential for flooding in Carmel Valley and at the Carmel River Lagoon
- Mitigate effects of storm water runoff throughout the planning Region
- Address storm water discharges into Areas of Special Biological Significance
- Promote the steelhead run

All of the regional priorities are either directly or indirectly related to the water supply and habitat issues involving the Carmel River and Lagoon habitats.

Several projects in various phases of planning and design were examined and prioritized for implementation as a part of the IWRM Plan. The Lower Carmel River Restoration and Floodplain Enhancement project was ranked as the number one priority in the draft IWRM plan. The Lower Carmel River Restoration and Floodplain Enhancement project is multi-objective in nature and designed to be comprehensive. It is integral with the CRLEP and BSLT Parkway Plan for a number of strategies that will provide flood protection, restore natural river functions, enhance streamside habitats of the Carmel River, provide trails for public recreation, and improve road safety during floods. The project is a significant step toward resolving longstanding issues and concerns in the Lower Carmel River.

Although all stakeholders in the region are encouraged to adopt this plan and use it to guide future planning efforts and implementation of projects, there is no local, State, or Federal mandate to do so.

Carmel River Lagoon Technical Advisory Committee

The Carmel River Lagoon Technical Advisory Committee (CRLTAC) and its participating member agencies responsible for managing the Carmel River State Beach and Lagoon are active stakeholders in all of the above listed projects and the mitigation program discussed below. The CRLTAC was voluntarily formed in 2005 to address the competing management strategies between flood control and the preservation of habitat for Central Coast steelhead trout, California red-legged frogs and other threatened species.

Monterey County in coordination with the CRLTAC has been evaluating and implementing various mechanical (manual) breaching strategies such as the diagonal exit-channel method suggested by members of the Carmel River Steelhead Association during the August 23, 2007 Water Board special public hearing in Salinas. The diagonal breaching method is intended to maintain the lagoon habitat during breaching by mitigating rapid and complete evacuation of the lagoon. Management strategies and mitigation measures addressing the various aspects of the Carmel River State Beach and Lagoon habitats, including breaching methods, are discussed in the June 2007, draft *Initial Study Mitigated Negative Declaration for the Carmel River Lagoon Water Elevation Adaptive Management Project* and the April 2007, final *Study Plan for Long Term Adaptive Management for the Carmel River Beach and Lagoon*.

The desired outcome of any breaching method is to protect the lagoon habitat, prevent flooding and erosion damage to surrounding infrastructure. The diagonal method has proven to be effective under certain conditions and will be implemented as feasible by the County if mechanical breaching is required to protect homes and infrastructure adjacent to the lagoon mouth. Successful implementation of the diagonal exit-channel breaching method is subject to the dynamic nature of the ocean/beach, lagoon and river environments. Beach morphology, which can change hourly, lagoon elevation, and river flow event will dictate whether the diagonal method will be feasible and safe, and successful at stabilizing lagoon levels. In addition, diagonal exit-channel breaching is only feasible towards the south because an exit channel to the north increases the chances of undermining Scenic Road just north of the lagoon. The lagoon often

breaches naturally in an uncontrolled manner foregoing the need for mechanical breaching.

Water Allocation Mitigation Program

The MPWMD, in conjunction with California American Water (CAW) and other local agency and stakeholder support, is providing continued implementation of the Five-Year Mitigation Program (Mitigation Program) per the Water Allocation Program Final Environmental Impact Report certified by the MPWMD Board on November 5, 1990. To date the MPWMD Board has voted to continue the Mitigation Program, which expired in 1997, as part of the annual budget approval process each year. The Mitigation Program is funded primarily through the MPWMD fee on CAW customer water bills. Along with water quantity, demand, usage and quality monitoring, the MPWMD and local stakeholders, as part of the ongoing Mitigation Program, are actively pursuing a number of water supply augmentation projects and implementing water conservation measures via local ordinances, inspections, retrofit and water usage offset programs throughout the CAW service area to reduce the over allocation of Carmel River water resources. During the fiscal year of 2005/2006, local agencies inspected 1,749 properties for conservation compliance resulting in retrofits that will save an estimated 33 acre-feet of water per year, and approved 439 voluntary retrofit refunds saving an estimated 8.4 acre-feet of water per year. Similar conservation activities and estimated water use offsets are reported in the Mitigation Program annual reports for the last six years (reports prior to fiscal year 2000-2001 not available on MPWMD website). Water conservation program public outreach and education are also ongoing. The mitigation program also includes steelhead fishery program, riparian habitat program and lagoon habitat program elements. Various facets of the Mitigation Program are also integral to the BSLT Parkway Vision, CRLEP, IWRM and CRLTAC projects and programs discussed above regarding habitat restoration and protection.

Carmel River Lagoon Augmentation

State Parks, in conjunction with the Carmel Area Wastewater District (CAWD) and in coordination with the CRLTAC and Water Board staff, has initiated quarterly sampling of the Carmel River Lagoon for the purposes of establishing seasonal background water quality conditions for various priority pollutants. This data is being collected to evaluate potential discharge scenarios for CAWD tertiary effluent (recycled water) or reverse osmosis reject wastes to augment lagoon habitat (i.e., increase fresh water inputs to the lagoon during critical dry periods).

In addition, CAWD has funded an initial study as the groundwork for a feasibility study to evaluate the dry season discharge of approximately 400,000 gallons per day of reverse osmosis reject from the upgraded CAWD tertiary treatment facility to augment the lagoon habitat via indirect discharges. Although CAWD may take the study beyond this initial phase, it is more appropriate that the CRLTAC or other individual lagoon stakeholders to take the lead on additional study and possible implementation. There has already been one stakeholder scoping meeting and the CRLTAC has taken the topic up for discussion in support of the project.

The use of excess recycled water to augment the lagoon habitat via indirect discharges to the adjacent [dry] habitat is still being implemented on a seasonal basis under

existing water reclamation requirements. The option of direct discharges of recycled water to the lagoon is still on the table.

Staff is making an effort to attend CRLTAC meetings and provide support for the above noted activities.

CLEANUP REPORTS

Underground Tanks Summary Report dated February 22, 2008 [Chris Adair 805/549-3761] [See Attachment No. 1]

REGIONAL REPORTS

Total Maximum Daily Load Program [Chris Rose 805/542-4770]

Staff is working on the following TMDL tasks or reports:

- The following projects are on this board meeting agenda for consideration:
 - Aptos and Valencia Creeks Pathogen TMDLs
 - Soquel Lagoon Pathogen TMDL
 - San Lorenzo River and Estuary TMDLs (including Carbonera Creek) Pathogen TMDL
- The following projects are being readied for external scientific peer review. A peer reviewer has been designated, and will be ready to review in late March.
 - Pajaro River and Tributaries Fecal Coliform TMDL
 - Lower Salinas River Watershed Fecal Coliform TMDL
 - Santa Maria River and Oso Flaco Creek Fecal Coliform TMDLs
 - Corralitos Creek Pathogen TMDL
- Santa Barbara Beaches Bacteria TMDLs- Preliminary Project Report. Tetra-Tech is contracted by USEPA for data analysis work. Data are being prepared to run a model aimed at determining source loading. Staff conducted a stakeholder meeting in January 2008 in Santa Barbara.
- Salinas River Pesticides TMDL-Draft Report. Tetra-Tech is contracted by USEPA for data analysis work and draft report preparation.
- Santa Maria River and Oso Flaco Creek Nitrate TMDLs- Final Project Report is being developed by staff.
- Santa Maria River Estuary Pesticides TMDL- Project Plan is being developed by staff.

Staff continues to analyze data and assess conditions of waterbodies to update the 2008 Integrated Report- List of Impaired Waters (pursuant to 303(d) of the Clean Water Act) and Surface Water Quality Assessment (pursuant to 305(b) of the Clean Water Act).

Staff has backfilled the Environmental Scientist position opened by the promotion of Chris Rose, who is now the TMDL Program Manager. Phil Hammer, from the San

Diego Region, will be transferring to the Central Coast Region on March 26. Phil will be working on TMDLs as well as storm water projects.

An update of TMDLs approved and those being implemented will be presented at the May board meeting by Chris Rose; at the February meeting, Board members Daniel Press and Monica Hunter requested an update.

ADMINISTRATIVE REPORTS

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

On February 20 and 21, 2008, Water Board staff members Rich Chandler, Corey Walsh, and Dr. Wei Liu attended the Site Closure Strategies Symposium in Concord, California. The conference was hosted by the Groundwater Resources Association of California and provided an opportunity for regulators and consultants to present the latest ideas in moving contaminated sites toward closure. Topics discussed included the EPA's Technical Impracticability Waivers, the State Water Quality Control Board's Containment Zone policy, insurance-based approaches, and Triad methodologies. The San Francisco Regional Water Quality Control Board introduced its recommended closure criteria for low threat solvent and other non-fuel cases. In addition, attendees and panelists discussed numerous case studies of complicated but successful site closures.

ATTACHMENTS

1. Underground Tanks Summary Report dated February 22, 2008

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