

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

NORTH COAST REGION

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EXECUTIVE OFFICER'S REPORT

May 2006

Recent Events

Resignation of Board Members Bev Wasson and Teejay Lowe

Board Members Bev Wasson and Teejay Lowe have resigned from the North Coast Regional Water Board. Both Board Members sell grapes to wineries covered by the State Water Resources Control Board's general storm water permit. The Governor's Office has ruled that since over 10-percent of their income is from selling grapes to wineries that are covered under the general storm water permit, they are not eligible to serve on our Board.

West College Avenue Lawsuit

The jury selection began the first week of May 2006 in the West College Avenue lawsuit. The trial is being heard at the Sonoma County Superior Court in Santa Rosa and Luis Rivera, Assistant Executive Officer, will be attending the daily court proceedings. The trial may go on for several months.

This case stems from the discovery of PCE contamination from a dry cleaner that affected water wells in an area south of West College Avenue in Santa Rosa. This contamination resulted in a large, multi-agency cleanup and abatement action that began in 1999. Investigations, assessments, alternative water supplies, city connections, and many other activities often encompassed virtually the entire cleanup division for some time until abatement was achieved. Ongoing enforcement and investigation actions are still underway.

[Luis Rivera Shown with a Wellhead Treatment System]



The Regional Water Board staff installed wellhead treatment systems for residents with contaminated wells. Wellhead treatment systems were available to residents in the area who utilize domestic water wells contaminated by tetrachloroethene, or PCE. Wellhead treatment systems will effectively remove PCE from the well water and abate harmful exposures associated with domestic uses such as drinking, cooking, and showering.

During the response several residents filed legal action against the owners of the dry cleaner, the City of Santa Rosa, County of Sonoma, State of California-Regional Water Board, Union Pacific, and Optical Coating Labs, Inc. Any specific information on why these particular defendants were sued, please contact our legal staff. In the case of the Regional Water Board, the issue revolves around Proposition 65 actions.

Several of the defendants have settled with the plaintiffs. However, the Attorney General for the

State of California remains committed to defending actions taken by staff. As the trial begins, many people are again spending significant time preparing for the case. Dave Evans is leading a team involving Jo Bentz and Colleen Hunt, with many others assisting. Luis Rivera has also been extensively involved in trial preparation.

Stream and Wetlands System Protection Policy

(Contact: Bruce Ho)

The U.S. Environmental Protection Agency in June 2005 awarded the San Francisco Estuary Project (SFEP) a grant for \$300,000 to hire two staff for a two-year project assisting with stream and wetlands system protection in the regions covered by the North Coast and San Francisco Bay Regional Water Boards. SFEP and both Regional Water Boards are in the process of developing a single Stream and Wetlands System Protection Policy that will be proposed for adoption in both regions. The Policy will show scientifically how stream and wetlands systems—stream channels, wetlands, riparian areas, and floodplains—protect water quality and support beneficial uses. It will clarify that stream and wetlands system protection and restoration are viable forms of pollution prevention in all land use settings, and that the strategies of pollutant source control and stream and wetlands system protection need to be integrated to complete the entire watershed water quality management strategy.

The Policy will also improve Water Board regulatory consistency, solidify stakeholder and political support, and serve as a model for other Regional Water Boards and the State in stream and wetlands system protection. The North Coast and San Francisco Bay Regional Water Boards are preparing for upcoming public workshops and California Environmental Quality Act (CEQA) scoping meetings in May to facilitate public participation.



[Riparian Condition, Shasta River]

In our region, three meetings will be held: May 3rd in Eureka, May 4th in Yreka, and May 8th in Santa Rosa. Additional information regarding the Stream and Wetlands System Protection Policy, including notice of upcoming public workshops and CEQA scoping meetings, can be found online at <http://www.waterboards.ca.gov/northcoast/programs/basinplan/swspp.html>.

Staff Wetland Training April 13, 2006

(Staff: Andrew Jensen and Michelle Jensen)

Twenty three Regional Water Board staff, ten staff from Sonoma County PRMD, and one California Department of Fish and Game staff member, participated in an interagency cross training.



[Sonoma Sunshine (Endangered species)]



[Group Discussing Setbacks]

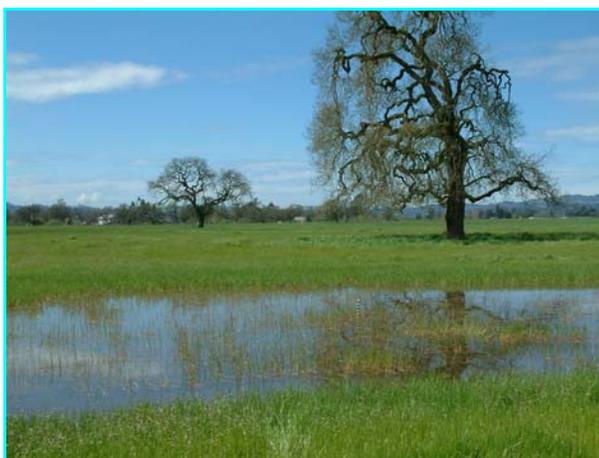
Regional Water Board staff members Andrew Jensen, Michelle Jensen, and John Short put the training together. The goal of the cross training was to give participants a better understanding of wetland regulations, typical issues regarding wetland management, habitat identification, and mitigation efforts that are taking place to offset wetland impacts. The group had the opportunity to walk the beautiful lands of the newly created 108-acre Gobbi Preserve off Todd Road in Santa Rosa. The group viewed created vernal pool habitat on Gobbi Preserve Phases I and II. The seasonal wetland pools were showing signs of success on the newly created Gobbi Phase 2, with the establishment of wetland indicator species such as California semaphore grass (*Pleuropogon californicus*), flowering endangered plant species including Sonoma sunshine (*Blennosperma bakeri*) and Sebastopol meadowfoam (*Limnanthes vinculans*), as well as providing habitat for the federally-listed California tiger salamander (*Ambystoma californiense*).

Amidst the gently sloped grasslands and large Valley Oaks, wetland consultants Larry Stromberg and Ted Winfield lead the group in a discussion on the procedure for creating vernal pool and seasonal wetland habitat. In addition, the group had the chance to discuss wetland regulations, and the standard mitigation and monitoring requirements for impacts to wetland habitat. As the group walked through the preserve, Mr. Gene Cooley of the California Department of Fish and Game identified many plant species for staff.



[Sebastopol Meadowfoam (Endangered species)]

The second phase of the training was spent walking the Green Music Center parking lot at Sonoma State University (SSU), where the group discussed the on-site constructed swales and detention basins. These features serve as post-construction treatment Best Management Practices (BMPs) for the parking lot storm water runoff, while also providing aesthetic beauty, groundwater recharge, and habitat for birds, amphibians, and reptiles.



[Gobbi Preserve Phase 2 Vernal Pool]



[Larry Stromberg and Ted Winfield Talking to Group]

In contrast to the pools at Gobbi Preserve, multiple created seasonal wetlands that were built

on-site at the Green Music Center site as compensatory mitigation for wetland impacts associated with the project were found to be failing to meet wetland mitigation success criteria, even after three years of being established. The mitigation wetlands lacked hydrophilic vegetation and showed signs of infiltration, thereby lacking required durations of hydrologic inundation and depth.



[SSU Created Seasonal Wetland]

The final destination for the group was to a Sonoma County single-family residence that had a mound system built for wastewater treatment of the residence. The mound system was installed within very close proximity to a wetland feature, and county PRMD staff discussed the regulations the county implements to deal with these issues.



[Mound System Adjacent to Wetland]

The group had the opportunity to discuss the required county setbacks from wetland habitat,

and potential regulatory concerns, with County staff, as well as identify key signs of wetlands to look out for when determining the location for new wastewater treatment systems such as the mound system. The training lasted from 9:30 until nearly 4:00 p.m., and received positive feedback from those in attendance. Due to the level of participation and overall success of the training, future cross training efforts are likely to take place in other areas of study relating to water quality protection.



[Andrew Jensen (We'll Miss You!)]

Garcia River TMDL Update

(Staff: Jonathan Warmerdem)

On March 13, 2006, the Executive Officer issued an *Annual Garcia River TMDL Update* to all Garcia watershed landowners, participating agencies, and interested parties. The letter was written to provide a progress update on the Action Plan for the Garcia River Watershed Sediment Total Maximum Daily Load (Garcia TMDL) and included a discussion about the current landowner participation, compliance options, monitoring reports, and the ability to participate in voluntary instream monitoring.



[Garcia River]

Currently, the North Coast Regional Water Board is working closely with approximately 30 landowners with properties totalling approximately 75% of the acreage of the watershed.

On April 10, 2006, the North Coast Regional Water Board's Executive Officer accompanied several staff from the Nonpoint Source Unit in a tour of the Garcia River watershed. During the tour, staff met with several stakeholders to discuss the TMDL compliance and recent restoration efforts. A second watershed tour is proposed for the summer to meet with several additional landowners in the watershed.

Humboldt Bay Legacy Information

The North Coast Regional Water Board will host a Humboldt Bay legacy information transfer (the area north to McKinleyville will also be included). Three facilitated sessions are planned: May 30, 2006, June 22, 2006, and a third to be scheduled. The May 30, 2006, session will start at 9:30 a.m. at the Regional Water Board's offices in Santa Rosa, and include many retired staff. We will review and add to the identified issues for the area, brainstorm the available information on the issues, and begin to identify where and how historical information exists. The second session will review the results from the brainstorming session, identify gaps in the information, and make assignments for filling the gaps. The last session will go over the filled gaps, and discuss how the information should be accessed, perhaps through our intranet.

Training Course on Slope Stability

The North Coast Regional Water Board in conjunction with the USFS will be holding a training course on slope stability in late summer. This course will be held at the Regional Water Board's offices in Santa Rosa. This three-day training will focus on natural slopes, not constructed slopes and will include a field trip. Enrollment is limited, and there are some rather specific minimum prerequisites: A working knowledge of landslide classification methods, fluid and soil mechanics, geomorphology, and general knowledge of predictive tools (computer models) and mathematics (including familiarity with basic statistics).

Enforcement Action - Thirty Days in Jail for the Polluter and \$1,891 to Cover USCGS Cleanup Costs [Excepts from Times-Standard Newspaper]

A Crescent City man who pleaded guilty to a misdemeanor count of water pollution was sentenced to 30 days in jail for pumping diesel fuel and contaminated bilge water into Crescent City Harbor.

Two Crescent City Harbor commissioners witnessed dark-colored fluid being discharged from the fishing vessel "Captain Jack" as they stood in the harbor parking lot in June 2005, a release from the Del Norte District Attorney's Office states.

Joseph W. Gonsalves, who was sentenced Friday, also paid \$1,891 – the U.S. Coast Guard's cost of containing the diesel.

The Coast Guard commenced the criminal investigation, assisted by a criminal investigator from the federal Environmental Protection Agency.

The release states Gonsalves admitted he knew he was discharging diesel fuel and other bilge oil waste into the harbor for at least two minutes.

A report by an environmental scientist from the Department of Fish and Game noted the waste impacted a large fleet of fishing boats in the harbor that "pump bay water into their holds to keep crabs or fish alive until they are sent to market."

And, the report says, Undersea World of Crescent City has its water intake system in the area and could have drawn the diesel into its aquarium and exhibits.

Integrated Regional Water Management Program (IRWM)

(Staff: Janet Blake)

Proposition 50, Chapter 8 includes \$380 million of funding for IRWM projects. The competition for these funds is a two-step process. In Step 1, planning projects and implementation projects are considered separately. Planning projects are ranked and selected in this step, along with implementation projects. A subset of these projects will be invited to submit full proposals, which are ranked and selected in Step 2. Applicants in Region 1 successfully obtained funding for four planning grants, including planning projects in the Mattole, Russian River, and Trinidad watersheds. The North Coast IRWM coalition, a coalition of numerous entities in the Region obtained funding for a planning project, and was also invited to submit a full proposal for an implementation project.

In March, applicants on the Step 2 Call-Back List participated in proposal workshops held in Riverside, Sacramento, and Santa Nella.

Additional follow-up workshops will be held in Sacramento on May 4th and 5th for applicants with remaining questions about the application process. The Step 2 proposal submittal deadline is June 8, 2006, at 5:00 PM.

There will be a reviewer kickoff meeting scheduled on or close to the submittal deadline date.

The 2006 Consolidated Grant Program

(Staff: Bernadette Reed)

The 2006 Consolidated Grant Program includes the following grant programs:

1. Ocean Protection Projects;
2. Non-point Source Implementation;
3. 319(h) EPA Program;
4. Integrated Watershed Program Planning Program (IWMP),



[Armored Outlet – Resulting from Grant Work]

5. Integrated Watershed Management Implementation Program;
6. Proposition 40 - Non-point Source Pollution Control Program;
7. Propositions 40 & 50 - Agriculture Program;
8. Proposition 50 - Coastal Non-point Source Program; and
9. Proposition 40 - Urban Storm Water Program.

When combined with the funding available through the U.S. EPA, there is a total of \$157.15 million of available funding.

Similar to the IRWM process described above, the Consolidated Grant review and selection process is conducted in two steps; concept proposal phase and full proposal phase. The 2006 concept proposal phase was recently completed; of the more than 470 concept proposals submitted statewide, 209 have been invited to submit full proposals.

Region 1 received 72 concept proposals, which our exceptional grant review team was able to review and rank within the very short turnaround time. We received proposals for projects throughout our Region, many focusing on our identified water quality priorities, with the main emphasis being on TMDLs and assisting disadvantaged communities.

Applicants for 50 of our projects have been invited to submit full proposals. The four proposals that have been invited back for the Ocean Protection Projects are due May 9th.

The rest of the full proposals are due June 9th. We have invited submittal of full proposals for eight IWMP Planning projects, eight IWMP Implementation projects, ten Non-point Source 319 (h) projects, five Agriculture projects, two Urban Storm Water projects, two Non-point Source projects, and eleven Coastal Non-point Source projects.

The Regional Water Board held a workshop on April 17, 2006 at its Santa Rosa office to assist applicants in preparing and submitting their full proposal applications. Approximately 50 people attended this workshop.

The Regional Water Board should know by September 2006 which projects will be awarded grant funds.

The 2005 California Ocean Plan

The 2005 California Ocean Plan was officially approved on February 14, 2006, by the United States Environmental Protection Agency, and is now available at:

<http://www.waterboards.ca.gov/plnspols/oplans/index.html>

The State Water Resources Control Board previously adopted the 2005 Ocean Plan amendments on January 20, 2005 (Resolution 2005-0013 at: <http://www.waterboards.ca.gov/resdec/resltn/2005/rs2005-0013.pdf>) and on April 21, 2005 (Resolution 2005-0035 at: <http://www.waterboards.ca.gov/resdec/resltn/2005/rs2005-0035.pdf>).

The California Office of Administrative Law approved the amendments on October 12, 2005.

The Ocean Plan was amended to:

1. Revise bacterial water quality objectives for ocean waters in Chapter II, Section B (1), and revise implementation provisions for bacterial characteristics in Chapter III, Section D;
2. Delete existing language in Chapter III, Section G (2) that allows discharger certification in lieu of monitoring, and add general reasonable potential language in Chapter III, Section C, and add a

reasonable potential analysis procedure in a new Ocean Plan Appendix VI;

3. Incorporate the classification of Areas of Special Biological Significance (ASBS) as State Water Quality Protection Areas (SWQPAs), according to the Public Resources Code, rename certain ASBS to coincide with name changes in other corresponding Marine Managed Areas, clarify that all exceptions are subject to Triennial Review, and add a new Appendix VII with a Table VII-1 listing exceptions to the Ocean Plan.

Underground Storage Cleanup Fund

During February, \$1,523,259 was paid from the State Board's Underground Storage Cleanup Fund for Region 1 sites and three Letters of Commitments were issued totaling \$101,300. In March 2006, no payments were made but two Letters of Commitments were issued totaling \$600,000.

Regional Water Board Meeting Schedule

There have been a few changes to the Regional Water Board's meeting schedule for 2006. Please note the updated Regional Water Board's schedule below:

June 28-29	Workshop and Regional Water Board Meeting Santa Rosa
July 2006	No Board Meeting
August 8-9	Workshop and Regional Water Board Meeting Santa Rosa
Sept. 19-20	Workshop and Regional Water Board Meeting Santa Rosa
October 18	Board Meeting (To be Determined) (Fortuna/Eureka/Arcata)
December 6	Regional Water Board Santa Rosa

Annual “Bring Your Kids to Work Day”

The first Regional Water Board “Bring Your Kids to Work Day” was quite a productive and successful day for staff and the young water enthusiasts.



[Beth Lamb, Staff Geologist – Collecting Water Samples from a Local Wetland Area with Ethan Hunt (son of Craig Hunt, Staff Engineer) and Emmet Reed, Eamon Reed, and S amus Reed (Sons of Charles Reed, Staff Engineer)]

Eleven kids ranging in ages from 5 to 13 participated in a fun day following the footsteps of Regional Water Board employees. We had a creek walk, collected water samples, which we later viewed under microscope in the lab, discussed storm water runoff considering recent rains, looked at local wetlands, and picked up trash.



[Discussing Storm Water Runoff and Collecting Water with Kids. Sunny Hartwell Collecting with a Bailer]

The older kids worked with GPS equipment to find hidden objects and were introduced to GIS mapping. The highlight of the day was going out to lunch and attending a staff meeting. The kids also made posters about protecting water resources for our conference rooms.



[Nathan Goebel (son of Janice Goebel, Staff Sanitary Engineer) and Jason Korell (Grandson of Terri Korell, Office Technician) Collecting Water from Wetland Area]

“Bring Your Kids to Work Day” was a good opportunity to show the younger generation what staff does at work and to encourage them to consider careers in the environmental field.



[Ethan Hunt Collects Water Sample from a Local Stream]



[Demonstrating the Water Model and Discussing Non-Point Source Pollution]

Thank you to Beth Lamb, Ron Allen, Steve Bargsten, and Melissa Cade for all of your help.