

NOTICE OF PUBLIC MEETING
CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD
Friday, April 28, 2006
895 Aerovista Place, Suite 101 San Luis Obispo, CA 93401
[See Page 6 for location map]

Friday, April 28, 2006, 10:00 a.m.

1. [Roll Call](#) [Carol Hewitt 805/549-3503]..... Board Members Present
2. [Introductions](#) [Michael Thomas 805/542-4623].....Guests and Staff Present

Enforcement

3. [Los Osos Individual Septic System Dischargers](#), San Luis Obispo County.....Order Nos. R3-2006-1000-1005; 1007-1009; 1012-1021; 1023-1034; 1036-1049
(Hearing on Los Osos Individual Cease and Desist Orders)
[Matt Thompson 805/549-3159 and Sorrel Marks 805/549-3695]

4. [Public Forum](#)..... Board Direction
[This item will be heard after 3:00 p.m.]

*(Any person may address the Board on any matter within its jurisdiction that is **not** on the agenda. Please walk to the rostrum and after receiving recognition from the Chair, give your name and address, and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief. The Chair generally limits the time allotted to each speaker to **three** minutes. Non-procedural comments on matters pending before the board will not be accepted, even if the matter is on a future agenda.)*

Closed Session

Discussion of Cases in Litigation [Senior Staff Counsel Lori Okun]..... Closed Session
The Board will meet in closed session to discuss pending litigation, as authorized by Government Code (GC) Section 11126[e][2][A], in the cases of Voices of the Wetlands, et al, v. Regional Water Quality Control Board (Monterey County Superior Ct. No. M54889; Sixth District Court of Appeal Case No. H028021); Birkey et al. v. Olin Corporation et al. (Santa Clara County Superior Ct. No. 104CV012714); Petitions of Cambria Community Services District and Cambria Legal Defense Fund (SWRCB/OCC File Nos. A-1462, A-1462(a)); Petition of Chicago Grade Landfill, SWRCB-OCC File No. A-1678; Petitions of Olin Corporation, et al. (December 8, 2004 Section 13267 Order), SWRCB-OCC File Nos. A-1685 and A-1685(a); USA Waste of California, Inc. v. Central Coast RWQCB (Monterey County No. M74267) (requirement to provide technical or monitoring report for Jolon Road landfill); Petition of City of Santa Cruz, SWRCB/OCC Petition No. A-1712 (Administrative Civil Liability Order No. R3-2005-0067 for Delaveaga Golf Course); Petition of Citizens for Responsible Forest Management; Lompico Watershed Conservancy; and Sierra Club, Santa Cruz Group, SWRCB/OCC File No.A-1714 (General Conditional Waiver of Waste Discharge Requirements – Timber Harvest Activities, Order No. R3-2005-0066); Goleta West Sanitary District v. Central Coast Water Board (Santa Barbara County Superior Court Case No. 01186178); Kelegian v. Central Coast Water Bd. et al., (San Luis Obispo County Superior Ct. Case No. CV 060030); Petitions of Los Osos Community Services District and Don Bearden (ACL Order R3-2005-0137), SWRCB/OCC Petition Nos. A-1736 and A-1736(a) (Ms. Okun will not participate in these items); Central Coast Water Board v. Los Osos Community Services District (San Luis Obispo County Case No. CV-051074) (Ms. Okun will not participate in this item); Stephen Onstot, Gregory Murphy and Julie Tacker vs. Central Coast Water Board and State Water Board (San Luis Obispo County Case No.CV 060196) (Public Records Act) (Ms. Okun will not participate in this item); Los Osos CSD v. Central Coast Regional Board (San Luis Obispo County Case No. CV 060146 (TSO 00-131) (Ms. Okun will not participate in this item); Petition of Curtis Quinones, SWRCB/OCC File No. A-1740 regarding issuance of CAO R3-2006-0021. The Board may discuss significant exposure to litigation as authorized by GC Section 11126[e][2][B]. The Board may also decide whether to initiate litigation as authorized by GC Section 11126[e][2][C].

Deliberation on Decision after Hearing [Senior Staff Counsel John Richards] Closed Session
The Board may also meet in closed session to deliberate on a decision to be reached based upon evidence introduced in a hearing, as authorized by GC Section 11126(c)(3).

Discussion of Cases in Litigation [Senior Staff Counsel John Richards] Closed Session
The Board may meet in closed session to discuss pending litigation, as authorized by Government Code (GC) Section 11126[e][2][A], in the matter of Los Osos CSD v. Central Coast Water Board (San Luis Obispo County Case No. CV 060146 (TSO 00-131); Stephen Onstot, Gregory Murphy and Julie Tacker vs. Central Coast Water Board and State Water Board (San Luis Obispo County Case No. CV 060196) (Public Records Act); Petitions of Los Osos Community Services District and Don Bearden (ACL Order R3-2005-0137), SWRCB/OCC Petition Nos. A-1736 and A-1736(a); Central Coast Water Board v. Los Osos Community Services District (San Luis Obispo County Case No. CV-051074).

Adjournment

The next regularly scheduled Board meeting will be held on May 11-12, 2006, at the Central Coast Regional Water Board office in San Luis Obispo.

CENTRAL COAST WATER BOARD MEETING SCHEDULE 2006

Date	City	Address
January 5, 2006	San Luis Obispo	Central Coast Water Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
February 9-10, 2006	Salinas	Salinas City Council Rotunda Chambers 200 Lincoln Avenue, Salinas, CA 93901
March 24, 2006	San Luis Obispo	Central Coast Water Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
May 11-12, 2006	San Luis Obispo	Central Coast Water Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
June 8, 2006 Offsite	San Luis Obispo	Central Coast Water Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
July 7, 2006	San Luis Obispo	Central Coast Water Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
September 8, 2006	San Luis Obispo	Central Coast Water Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
October 20, 2006	Santa Barbara	Santa Barbara County Supervisors Board Hearing Room 105 East Anapamu St. - 4th Floor, Santa Barbara, CA 93101
December 1, 2006	San Luis Obispo	Central Coast Water Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906

LEAD STAFF PERSONS

Roger W. Briggs, <i>Executive Officer</i>	805-549-3140
Michael Thomas, <i>Assistant Executive Officer/Ombudsman</i>	805-542-4623
Carol Hewitt, <i>Executive Assistant</i>	805-549-3503
Cyndee Jones, <i>Regional Administrative Officer</i>	805-549-3372
Lori Okun, <i>Senior Staff Counsel</i>	916-341-5165
Harvey Packard, <i>Division Chief and Enforcement Coordinator</i>	805-542-4639
Sheila Soderberg, <i>Cleanup/SLIC</i>	805-549-3592
Chris Adair, <i>Northern Non-point Source/Storm Water</i>	805-549-3761
David Athey, <i>Northern Permitting/Land Disposal Unit</i>	805-542-4644
VACANT, <i>Southern Permitting</i>	-----
Eric Gobler, <i>Cleanup/Perchlorate Sites</i>	805-549-3467
Burton Chadwick, <i>Cleanup/UST</i>	805-542-4786
Lisa Horowitz McCann, <i>Watershed Assessment</i>	805-549-3132
John Robertson, <i>Southern Non-point Source/Storm Water</i>	805-542-4630
Karen Worcester, <i>Regional Monitoring/Basin Planning</i>	805-549-3333

Please send or fax correspondence to:

Central Coast Regional Water Board
895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
Phone: 805-549-3147 Fax: 805-543-0397

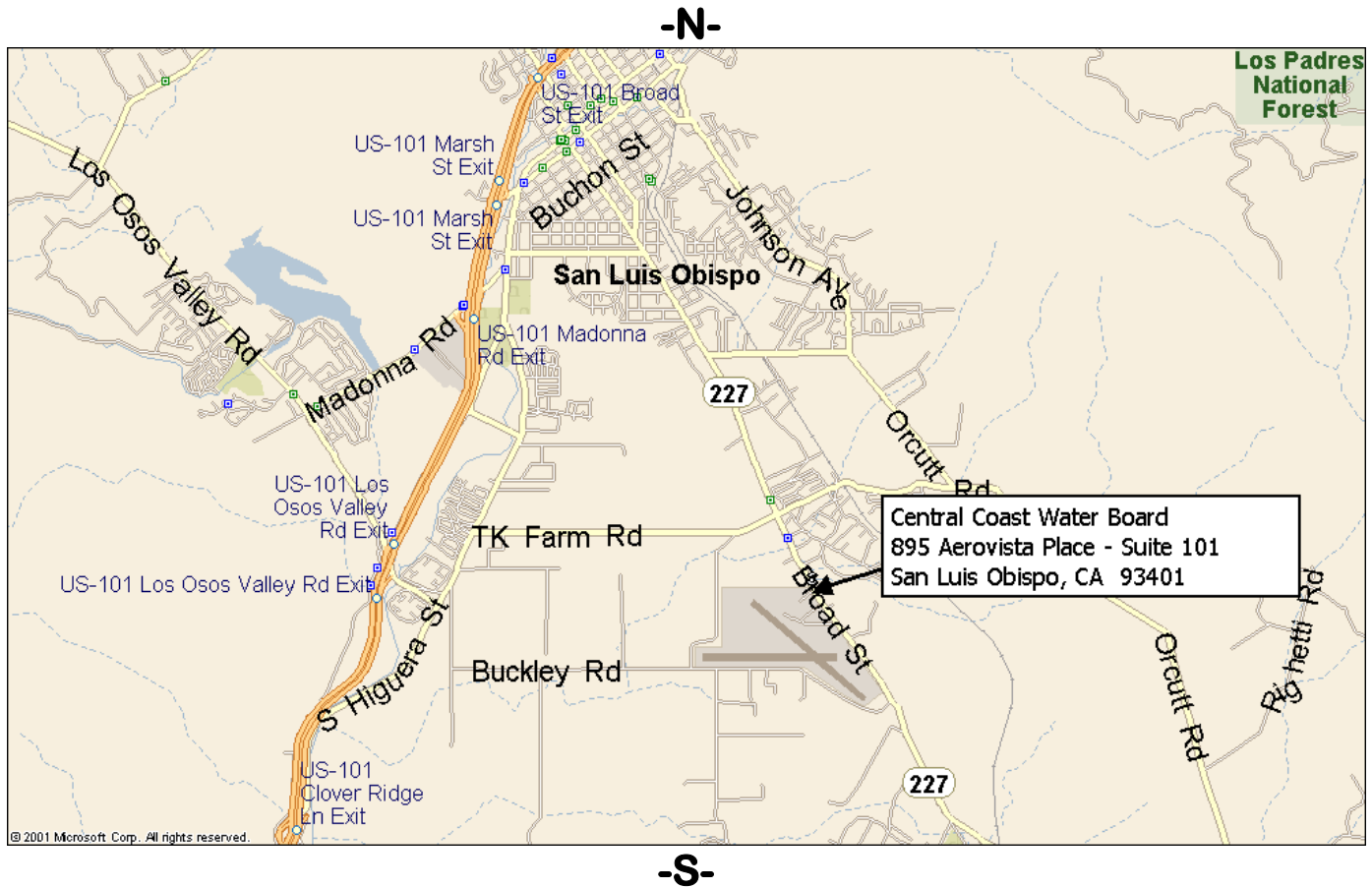
CENTRAL COAST REGIONAL WATER BOARD MEMBERS

Board Member	Appointment Category	Term Expires
Leslie S. Bowker Los Osos	County Government	9/30/2007
VACANT	Water Quality	9/18/2006
John H. Hayashi Arroyo Grande	Irrigated Agriculture	9/30/2007
Russell M. Jeffries Vice-Chair, Salinas	Industrial Water Use	9/30/2008
Monica S. Hunter Los Osos	Public	9/30/2008
Daniel M. Press Santa Cruz	Water Quality	9/30/2008
Gary C. Shallcross Monterey	Recreation, Fish or Wildlife	9/18/2006
Jeffrey S. Young Chair, Santa Barbara	Water Supply	9/30/2009
VACANT	Municipal Government	9/30/2009

CONDUCT OF MEETING AND HEARING PROCEDURES

- A - The primary duty of the Central Coast Water Board is to protect the quality of waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality plans for specific ground or surface water basins and by prescribing and enforcing requirements on all domestic, municipal, and industrial waste discharges. Specific responsibilities and procedures of the Regional Water Quality Control Boards and the State Water Resources Control Board are outlined in the Porter-Cologne Water Quality Act (Division 7), California Water Code.
- B - The purpose of the meeting is for the Board to obtain testimony and information from staff and concerned and affected parties and make decisions after considering the recommendations made by the Executive Officer. The Board will vote only on matters listed on the agenda. The Board may give direction to the Executive Officer on any matter discussed during the meeting.
- C - Agenda items are numbered for identification purposes and will not necessarily be considered in the order listed.
- D - **RULES FOR LATE SUBMISSION OF WRITTEN MATERIALS:** This paragraph applies only if there are no deadlines for written testimony or comments in a separate hearing notice for an item. Written material received after the due date on the first page of the agenda and before noon on the Monday of board meeting week generally will not be provided to Board members until the day of the meeting, but will become part of the record unless the Chair rules that the late submission would prejudice the Central Coast Water Board staff or any party. Written material received after noon on the Monday of board meeting week will not be provided to Board members or become part of the record, unless the Chair rules that exclusion would create a severe hardship and that no party (including Central Coast Water Board staff) will be prejudiced by the late submission. The Chair will rule at or before the hearing. Late submissions that consist of evidence (as opposed to policy statements or comments) will generally be deemed prejudicial unless all designated parties (see below) have time to consider the evidence before the meeting.
- E - The Board and staff welcome information on pertinent problems, but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take the appropriate action. Whenever possible, lengthy testimony should be presented to the Board in writing and only a summary of pertinent points presented verbally. In order to give everyone an opportunity to be heard, comments should have been previously submitted in writing and a time limit on presentations may be imposed on any agenda item. Speakers should plan to summarize key points within three minutes. Please notify staff three weeks prior to meetings of a request for presentations planned for longer than three minutes, for scheduling purposes. The Chair will decide if the request should be granted.
- F - Material presented to the Board, as part of testimony (e.g., photographs, slides, charts, diagrams, etc.) that is to be made part of the record must be left with Executive Assistant, Carol Hewitt. Photographs or slides of large exhibits are acceptable. If you plan to use visual aids such as PowerPoint, contact the Central Coast Water Board staff prior to the meeting to arrange for equipment set-up.
- G - **HEARING RULES FOR CONTESTED HEARINGS ON WASTE DISCHARGE OR WATER RECYCLING REQUIREMENTS, NPDES PERMITS, ADMINISTRATIVE CIVIL LIABILITY ORDERS AND INVESTIGATION OR ENFORCEMENT ORDERS [CWC §§ 13267, 13300-13308, 13383]:** This paragraph applies unless there are different requirements in a hearing notice for an item. Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Designated parties are any persons named in the proposed order. Central Coast Water Board staff is a designated party for administrative civil liability complaints, and for cease and desist orders that establish monetary liability and that are not issued concurrently with waste discharge requirements. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of an item by submitting such request in writing to the Central Coast Water Board no later than two weeks after the draft order is available for public comment. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.
- H - The Board Chair may specify a time limit for oral presentations and testimony. Board members may interrupt a presentation with questions or comments. The time for Board member questions and witnesses' answers will not count toward the time limit for a presentation.
- I - All Board files, exhibits, and agenda material pertaining to items on this agenda are hereby part of the record.
- J - Any person affected adversely by a certain decision of the California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), may petition the State Water Resources Control Board (State Board) according to Water Code section 13320 and Title 23 California Code of Regulation section 2050. The Petition should be addressed to Office of Chief Counsel and must be filed within 30 days of the Executive Officer's or the Board's action or failure to act. The State Board must receive the petition within 30 days of the Central Coast Water Board's meeting at which the action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request.
- K - A copy of the procedures governing Regional Water Quality Control Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Central Coast Water Board are conducted pursuant to Government Code sections 11400 et seq. but not Government Code sections 11500 et seq. The Chair may waive any procedural statutes or regulations that are not required by the U.S. or California Constitutions.
- L - The facility is accessible to people with disabilities. Individuals who require special accommodations are requested to contact John Goni (805/542-4728) at least five working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.
- M - All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit pending before the Central Coast Water Board must submit a statement to the Board disclosing any contributions of \$100 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his or her agent within the last 12 months to any Central Coast Water Board Member.
- N - All permit applicants or persons who actively support or oppose adoption of a set of waste discharge requirements or an NPDES permit pending before the Central Coast Water Board, are prohibited from making a contribution of \$100 (or more) to any Board Member for three months following a Central Coast Water Board decision on the permit application.

**Central Coast Regional Water Board
895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401
Phone: 805-549-3147**



Central Coast Regional Water Board Offices:

From Airport turn left on Airport Drive (located between airport parking lots), go to Aerovista Park and turn right. Turn right into parking lot just before Broad Street (227).

From 101 Southbound: take Los Osos Valley Rd. exit, turn left on Los Osos Valley Rd., turn left on S. Higuera St., turn right on Tank Farm Rd., turn right on Broad St.(227), turn right on Aerovista Place and park in first parking lot on left.

From 101 Northbound: take Los Osos Valley Rd. exit, turn right on Los Osos Valley Rd., turn left on S. Higuera St., turn right on Tank Farm Rd., turn right on Broad St.(227), turn right on Aerovista Place and park in first parking lot on left.