

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

**STAFF REPORT FOR REGULAR MEETING OF MARCH 22-23, 2018**  
Prepared on February 26, 2018

**ITEM NUMBER: 13**

**SUBJECT: Executive Officer's Report to the Board**

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**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 December 20, 2017- January 29, 2018.

**401 Water Quality Certification Applications Received December 20, 2017 - January 29, 2018.**

| Applicant  | Date Received | Project Title   | Project Purpose   | Location    | County          | Receiving Water                | Proposed Total Impact <sup>1</sup> | Status                 |
|--|---------------|---|---|-------------|-----------------|--------------------------------|------------------------------------|------------------------|
| Caltrans-<br>Karen Holmes                                  | 12/21/2017    | Salinas River Bridge Seismic Retrofit                     | To improve serviceability and stability of both northbound and southbound bridge structures during moderate earthquakes, and to upgrade the bridge railings to current standards. | Kings City  | Monterey        | Salinas River                  | 22.081 acres                       | Incomplete Application |
| County of Santa Cruz-<br>Shaun Deyhim                      | 12/28/2017    | Mountain View Road PM 0.47 Repair                         | To repair the embankment below the westbound lane of Mountain View Road that was damaged by heavy runoff from March 2011 storms.  | Santa Cruz  | Santa Cruz      | Tributary to Branciforte Creek | 0.02 acres/ 56 linear feet         | Under staff review     |
| San Luis Obispo Public Works Dept.-<br>Dave Flynn          | 1/3/2018      | Estrella River Bridge on River Grove Drive Rehabilitation | To rehabilitate the existing historic bridge to improve safety conditions.  | Paso Robles | San Luis Obispo | Estrella River                 | 0.56 acres/ 287.08 linear feet     | Under staff review     |
| Monterey County Water Resources Agency-<br>Elizabeth Kraft | 1/19/2018     | Salinas River Weir  | To monitor adult steelhead trout during the upstream migration period.  | Marina      | Monterey        | Salinas River                  | 0.0013 acres/ 140 linear feet      | Incomplete Application |

<sup>[1]</sup> Total Impact includes both temporary and permanent impacts to waters.

**401 Water Quality Certifications Issued December 20, 2017 - January 29, 2018.**

| Applicant  | Date Certified | Project Title                        | Project Purpose  | Location                                   | County          | Receiving Water                             | Includes LID Retention Feature <sup>2</sup> | Total Impact <sup>1</sup>        |
|--|----------------|--------------------------------------|--|--|-----------------|---|---|----------------------------------|
| Entrada de Paso Robles, LLC- Kenneth H. Hunter               | 12/22/2017     | Entrada de Paso Robles               | To construct an entertainment area and resort complex.   | Paso Robles                                | San Luis Obispo | Tributary to Dry Creek and Huer Huero Creek | Y   | 1.207 acres                      |
| Meritage Homes- Jess Salmon                                  | 1/9/2018       | Heartland West                       | To construct a 95 lot single family detached unit residential subdivision with associated open space and public/private streets.   | Gilroy                                     | Santa Clara     | Uvas Creek                                  | Y   | 0.06 acres/<br>860 linear feet   |
| Monterey County Resource Management Agency- Enrique Saavedra | 1/10/2018      | Palo Colorado Road Repair (MP 3-3.5) | To permanently repair Palo Colorado Road and culverts at Rocky Creek and Brandon Creek due to damage caused by winter 2017 storms. | Carmel-By-The-Sea                          | Monterey        | Rocky Creek and Brandon Creek               | N   | 0.677 acres/<br>1994 linear feet |
| Santa Barbara County Flood Control District- Maureen Spencer | 1/19/2018      | 18Storm1 Emergency Response          | To implement post-flood/debris flow emergency response to facilitate the protection of life and property.                          | Montecito, Summerland, Goleta, Carpinteria | Santa Barbara   | Pacific Ocean and Numerous Creeks           | N/A   | 41.5 acres/<br>13.5 linear feet  |

<sup>[1]</sup> Total Impact includes both temporary and permanent impacts to waters.

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

**Agricultural Order 4.0 Schedule and Development Update**  
[Arwen Wyatt-Mair 805/542-4695]

On March 8, 2017, the Central Coast Water Board adopted Agricultural Order No. R3-2017-0002 (Ag Order 3.0), with a renewal date of March 2020. Staff is currently preparing options for board consideration in general categories (i.e., groundwater, surface water, etc.) that could be included in the next agricultural order, Ag Order 4.0, pursuant to the March 2020 schedule.

Staff presented the timeline for Ag Order 4.0 development at the September 2017 board meeting. The timeline has since been adapted to incorporate additional opportunities for staff to provide updates and key contextual information to the board and stakeholders. For example, staff is providing the board with an informational update on surface water quality conditions as part of this March 2018 board meeting (Item No. 4). Additionally, the field trip associated with this meeting (Item No. 5) represents another example of an informational/educational item associated with Ag Order 4.0 development. Staff will also provide the board with an update on groundwater quality conditions at the May 2018 board meeting. A summary of key recent and upcoming dates with planned content topics is included below.

| Item   | Date                              |
|--|-----------------------------------|
| CEQA – Public Comment Period for Initial Study | February 16 – April 30, 2018      |
| CEQA – Scoping Meeting in Salinas              | March 20, 2018                    |
| Update on Surface Water Quality Conditions     | March 22-23, 2018 (board meeting) |
| CEQA – Scoping Meeting in Watsonville          | March 26, 2018                    |
| CEQA – Scoping Meeting in Santa Maria          | March 27, 2018                    |
| CEQA – Scoping Meeting in San Luis Obispo      | March 29, 2018                    |
| Update on Groundwater Quality Conditions       | May 10-11, 2018 (board meeting)   |
| Discussion of Regulatory Options               | June 28-29, 2018 (board meeting)  |
| Public Comment Period for Regulatory Options   | July – August, 2018               |
| Stakeholder Workshops on Regulatory Options    | July – August, 2018; Dates TBA    |

One of the first steps in the Ag Order 4.0 development process was to conduct a series of listening sessions throughout the region. Listening sessions were held in August 2017 in Watsonville, Salinas, San Luis Obispo, and Santa Maria, as well as via webcast with smaller groups of interested parties representing agricultural, environmental, and environmental justice interests. The purpose of the listening sessions was for staff to hear from the regulated community and other interested parties about areas where Ag Order 3.0 could be improved. At the September 21-22, 2017 board meeting, staff presented the calendar for the development of Ag Order 4.0 and provided the board with a summary of the comments and recommendations heard during the listening sessions. Attachment 4 provides an updated version of the Ag Order 4.0 project schedule.

Following the listening sessions and board feedback, staff has been working to identify a broad spectrum of options to present to the board as options to include in Ag Order 4.0. The goal of the regulatory options will be to reduce the water quality impacts associated with discharges from irrigated agriculture to meet water quality objectives and protect beneficial uses of surface waters and groundwater. Staff currently plans to present these draft options to the board at the June 2018 board meeting.

Prior to discussing the regulatory options for mitigating the water quality impacts from agricultural discharges, staff will present a summaries of water quality data which will be used to inform staff in developing regulatory options and recommendations to the board. To focus the discussion, staff has split this summary of water quality conditions into two reports: surface water quality conditions, to be discussed at the March 2018 board meeting, and groundwater conditions, to be discussed at the May 2018 board meeting. Each report will provide a walkthrough of current water quality conditions and water quality trends or changes over time, where possible, and include discussion of any limitations or data gaps. These information items provide the board and interested parties with the current state of surface water and groundwater in the central coast, as a foundation for developing and discussing the regulatory options for Ag Order 4.0.

The Central Coast Water Board is also required to comply with the California Environmental Quality Act (CEQA) as it adopts Ag Order 4.0. As part of complying with CEQA, staff has developed and released an Initial Study, will hold a series of CEQA scoping meetings throughout the region, and will develop an Environmental Impact Report (EIR). The public comment period for the Initial Study began when the document was released on February 16, 2018. Comments are due by April 30, 2018. Scoping meetings will be held in Salinas, Watsonville, Santa Maria, and San Luis Obispo. The Notice of CEQA Public Scoping Workshops (Attachment 5) includes more details about the time and location of each meeting.

The anticipated release date for the EIR is early 2019; an additional public comment period will follow the EIR's release.

Staff continues to identify and develop options to address water quality impacts of discharges from irrigated lands, and will continue to provide the Board and stakeholders with information to assist in discussion and decision-making as we move towards the expiration of Ag Order 3.0 in March 2020. Staff also continues to hold outreach events throughout the region, including reports at regularly scheduled board meetings, to provide the board and stakeholders with opportunities for input and feedback.

## MONTECITO DEBRIS FLOW

This item provides an update from early February and the Executive Officer's Report associated with the February 8-9, 2018 board meeting.

### Clearing and Disposal of Material from Creeks and Debris Basins

The Santa Barbara County Flood Control District (Flood Control District) and U.S. Army Corps of Engineers (Corps) continue to clear material from creeks and debris basins in response to the January Montecito debris flow. The Corps has been focusing its efforts on clearing debris basins and creeks, with material being disposed at upland locations such as Granite Rock's Gardener Facility in Buellton. The Flood Control District has primarily been clearing creeks, but has also done some work in debris basins. From January 9, 2018, to February 19, 2018, the Flood Control District was transporting most cleared material to the Ventura County Fairgrounds for sorting. Sediment that was free of debris was then transported to Goleta Beach for beach placement. Some debris-free sediment was also transported directly to Goleta Beach without sorting in Ventura. The Flood Control District also placed sediment cleared from Franklin and Santa Monica Creeks on Carpinteria Beach at Ash Avenue.

The Flood Control District analyzed composite samples of the sediment placed on the beaches approximately every three days of disposal for petroleum hydrocarbons, metals, ammonia, polyaromatic hydrocarbons, pesticides, and grain size. The County of Santa Barbara also collected ocean samples at the sediment disposal locations twice weekly for analysis of fecal indicator bacteria. Students from UCSB's Bren School of Environmental Science and Management also collected sediment and ocean samples for fecal indicator bacteria-related analysis. Results of sediment sample analyses indicates the sediment was suitable for placement on the beach. Ocean water sample results showed consistently high levels of fecal indicator bacteria at Carpinteria and Goleta Beaches. However, preliminary results shared on UCSB's Holden Laboratory website indicated low evidence of human fecal material:

"Upon analyzing water (from 3 Goleta Beach surf zone locations) and sediments (deposited to Goleta Beach from the January 9th, 2018 Montecito debris flow) that were sampled for 7 days over the period January 18th through 26th, Holden Lab researchers found very low, to no, evidence of human fecal material or two selected pathogens. The limited evidence of human fecal material that was found was similar in magnitude to the very low levels detected during previously monitored Goleta Beach water quality conditions in the summer months. Such low levels are not well understood, but are an ongoing part of summertime research at several beaches in this region."

Placement of material on Carpinteria Beach was completed on February 5, 2018, with a total 28,009 cubic yards placed at that location. Goleta Beach material placement was completed on February 19, 2018, with a total of 40,836 cubic yards deposited. The amount of material placed at the beaches was much less than the Flood Control District's initial estimate of up to 300,000

cubic yards. The Flood Control District plans to dredge lower portions of Franklin Creek within the Carpinteria Salt Marsh using hydraulic dredging and to place the dredged material in the surf zone at the mouth of the marsh. The Flood Control District has collected samples of the sediment to be dredged and cannot commence dredging until obtaining approval from the Central Coast Water Board and other regulatory agencies, following review of pending sediment analysis results. Approximately 15,000 cubic yards are planned to be dredged.

Central Coast Water Board staff continues to work with other agencies and organizations such as the Montecito Water District, Carpinteria Valley Water District, Southern California Gas Company, and Caltrans, to issue emergency permits to allow for ongoing emergency work in creeks and other waters.

#### Clearing and Disposal of Material from Private Property

The Flood Control District estimates that 90 to 95% of the debris deposited by the mud flows remains on private property. Property owners are responsible for this material. Staff is working with the Flood Control District and other permitting agencies assist property owners with permitting and proper disposal or re-use of the debris material, as appropriate. Disposal options include currently operating landfills, such as the county's Tajiguas facility, new or expanded landfills, private recycling and disposal sites, and recommencing beach disposal.

#### **Salinas Basin Agricultural Stewardship Group – Status of Interim Replacement Water Agreement**

[Angela Schroeter 805/542-4644]

In April 2017, the State Water Board's Office of Enforcement (OE), Central Coast Water Board, and the Salinas Basin Agricultural Stewardship Group (SBASG) signed an interim replacement water agreement which enables farmers and landowners to avoid replacement water-related enforcement for up to two years, in exchange for the provision of interim replacement drinking water to individuals and communities who rely on small water systems and domestic wells in the Salinas Basin that currently have unsafe drinking water due to groundwater nitrate pollution.

This report provides an update on the status of SBASG's implementation of the replacement water agreement, as of February 1, 2018, based on the minimum targets for Year 1 of the two year agreement. The Stewardship Group must meet these minimum targets by April 2018, in order to extend the agreement to Year 2.

#### Satisfaction of Year 1 Targets

At the February 8-9, 2018 Board Meeting, SBASG representatives reported that they have used all commercially reasonable steps to provide replacement water to 44 water systems, which SBASG reports exceeds the minimum target of 35 water systems (Attachment 6). These 44 water systems include:

- Twenty-one (21) water systems receiving replacement water
- Four (4) domestic wells receiving replacement water ("Opt-In")
- Seven (7) water systems on land enrolled in the Irrigated Lands Regulatory Program (ILRP) are already receiving replacement water from individual SBASG members and an additional two (2) water systems are still considering replacement water.
- Ten (10) water systems have declined to receive replacement water from SBASG.

The Central Coast Water Board and Office of Enforcement Staff are in the process of confirming that these water systems satisfy SBASG's obligation under the replacement water agreement.

Year 2 Replacement Water Plan

Conditioned upon the Stewardship Group providing replacement water to the minimum 35 systems, the Stewardship Group has the option to extend the term of this Agreement for an additional year (Year 2). If the Stewardship Group chooses to implement the settlement agreement in Year 2, they must submit a replacement plan water to identify and provide replacement drinking water to all remaining impacted drinking water systems and well owners/users within the Salinas Basin, irrespective of financial need. Systems and well owners/users identified in Year 2 need not be financially disadvantaged to qualify for replacement water. The Water Replacement Plan must be of sufficient detail to be implemented within a reasonable time and contain the following:

1. A sampling and analysis plan to identify remaining drinking water wells in the Salinas Basin needing replacement water due to nitrate concentrations in excess of the safe drinking water standard or maximum contaminant level (MCL).
2. An outreach and education plan to inform residents about the potential for nitrate contaminated drinking water and associated health risks, the options and a process for applying for and receiving timely replacement drinking water at no cost to the users.
3. An implementation schedule for the two plans, including mechanisms to ensure that any nitrate-impacted systems and/or wells above the MCL identified in Year 1, which have not already received replacement water, receive replacement water in Year 2.

On February 21, 2018, SBASG submitted a Draft Replacement Water Plan for Year 2 to the Water Boards. The Draft Replacement Water Plan is currently under review, and State Water Board and Central Coast Water Board (Water Boards) staff are meeting with SBASG to provide comments and adapt the Year 2 Plan as appropriate. The Final Replacement Water Plan will be subject to approval by the Water Boards.

**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. Ag Order 4.0 Development and Outreach Calendar
5. Notice of CEQA Scoping Public Workshops
6. Summary of Replacement Water Deliveries (As of February 28, 2018)