California Regional Water Quality Control Board
Central Coast Region

Terry Tamminen
Secretary for Environmental Protection

Internet Address: http://www.swrcb.ca.gov/rwqcb3
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401
Phone (805) 549-3147 • FAX (805) 543-0397

Arnold Schwarzenegger
Governor

MINUTES OF
REGULAR MEETING
Friday, March 19, 2004
Regional Water Quality Control Board

Friday, March 19, 2004, 8:30 a.m.

Chairman Jeffrey Young called the meeting of the Central Coast Regional Water Quality Control Board to order at 8:30 a.m. on March 19, 2004, in the Salinas City Council Chamber Rotunda, 200 Lincoln Avenue, Salinas, California.

1. Roll Call.....Executive Assistant Carol Hewitt

Board Members Present:
Chairman Jeffrey Young
Vice Chair Russell Jeffries
Leslie Bowker
Bruce Daniels
Daniel Press *(arrived at 8:40 a.m.)*
Donald Villeneuve

Absent:
Gary Shallcross

2. Introductions.....Executive Officer Roger Briggs

Executive Officer Briggs introduced staff and asked all interested parties who wished to comment to fill out testimony cards and submit them. Supplemental sheets and Question and Answer documents are as follows: Items 10, 12, 13, 14, 15, email letter from Jodi Frediani, email letter from Dennis Hall, 17, letters from Heal the Ocean, 18, 20, 22, and 24.

Chairman Jeffrey Young presented an award to Bruce Daniels in recognition and appreciation for serving as Board Chairman for 2003-2004.

3. Approval of January 9, 2004 and February 5-6, 2004 Meeting Minutes.....Board Motion

MOTION: Russell Jeffries moved to approve the January 9, 2004 meeting minutes. SECONDED by Leslie Bowker. CARRIED – Unanimously (6-0)

MOTION: Bruce Daniels moved to approve the February 5-6, 2004 meeting minutes. SECONDED by Russell Jeffries. CARRIED – Unanimously (6-0)

4. Report by State Water Resources Control Board Liaison.....Status Report

Gary Carlton, State Board Liaison, reported that Pete Silva, State Board Member, was reappointed in mid January of this year. His confirmation hearing is scheduled for the first week in April. Also, the Governor reappointed the Board Chair, Art Baggett. In the Water Quality area - workshops were held in January for a new listing policy for impaired water bodies (303d list). The State Board staff has prepared a guidance document in response to the past year's listing activities where there were no set guidelines, and each Region had to exercise its own independent judgment on criteria for placing waterbodies on the impaired waterbodies list. There was tremendous input and response at the workshop from the environmental community and the discharger

community. State Board staff is now balancing those comments and will make modifications and the guidance document will go back to the Board for a hearing. In addition to the listing policy, a guidance document for implementing TMDL's will also be included.

The State Board held a workshop to receive public input on the triennial review of the Ocean Plan. The workshop was very controversial with about 2-1/2 hours of testimony. Another workshop is being considered to see if the State Board wants to change the priorities of issues that should be reviewed in the Ocean Plan.

The State Board also held a hearing on the conditional agricultural discharge waiver for the Central Valley and issued an Order. The Board upheld the conditional agricultural discharge waiver with minor changes. The Order basically requires that all growers or farmers identify themselves as participants in the program. They can participate as part of a coalition, or as individuals, or they may file a report of waste discharge. The environmental community and the Farm Bureau have since filed suit against the State Board as a result of the Board's recent decision.

Also in January, the State Board considered petitions on timber harvest waivers from Regions 1, 5, and 6. The Board upheld the waivers with some minor modifications for Regions 5 and 6 and is in the process of holding hearings on a remand to Region 1.

The State Board also had a hearing on a renewal of the General Permit for Application of Aquatic Pesticides and Vector Control Pesticides. Extensive written comments and testimony were received. The Board put off making any decision until May so that staff may consider all the comments and make possible revisions.

In the area of Water Rights - since the cuts in the General Fund, staff was instructed to develop a fee structure in order to maintain the Division of Water Rights. The fees are very controversial in the water rights community. The good news is we have collected almost 90% of the fees. The bad news is the fees are paid under protest and lawsuits have been filed. There is some new legislation at the capital for consideration of partial restoration of funds for water rights general funding.

The Water Quality Coordinating Committee meeting will be held on April 19, 2004, in Sacramento.

Chair Young asked Mr. Carlton about timber harvest regulation in the North Coast Region. Mr. Carlton said the region uses three categories,. Although he was not positive of the details, he said they have 1) deminimus category for non-industrial harvests (no water quality monitoring required), 2) Forest Lands (no water quality monitoring required), and 3) Industrial – Private (water quality monitoring is considered case-by-case). He said a big difference from the Central Coast Region is that clear cutting is common in the other timber regions.

(Chairman Young left the meeting at 8:50 a.m. Vice-Chair Jeffries assumed control of the meeting)

5. Public Forum ..... Board Direction

The interested parties below made comments:

Lance King, Chairman Community Solutions – spoke about alleged continuing violations by the dredging project in Santa Cruz Harbor.

Ryan Hilburn, Cal Poly, Swanton Pacific Ranch – read a letter from Dr. Walter Mark addressing the Lower Little Creek timber harvest plan.

6. Uncontested Items Calendar ..... Board Motion

Executive Officer Briggs recommended the following change: remove Item #20/Clear Creek and Hernandez Reservoir Mercury TMDL from the calendar. Bruce Daniels noted the revision to the City of Lompoc's project listing and asked staff to provide more information to the Board in order to make sound decisions.

MOTION: Bruce Daniels moved to approve the proposed consent calendar to include Items 16, 21, and 22. SECONDED by Daniel Press. CARRIED – Unanimously (5-0) Note: Jeffrey Young was absent for this item..

7. Low Threat and General Discharge Cases ..... Information/Discussion/Board Approval

Executive Officer Briggs noted that the Santa Cruz Society for the Prevention of Cruelty to Animals tank case has been closed since it has been completely cleaned up. He recommended that the Cappy Culver Elementary School Discharge to Land by Small Domestic Wastewater Treatment Systems be enrolled under the statewide discharge requirements. Mr. Briggs also recommended that the Copeland's Project Parking Structure Dewatering case be enrolled under the Low Threat General NPDES Permit.

8. Ventana Inn, Big Sur, Monterey County ..... Status Report
[Scott Phillips 805/549-3550]

This report is in response to the Board's request for an update on the Ventana Inn wastewater disposal system. Senior Engineer, Harvey Packard, presented a brief summary of recent violations by Ventana Inn of its waste discharge requirements and corrective actions proposed by the discharger. Ventana Inn's consultant, John Yaroslavski, then provided additional information regarding Ventana's plans for upgrading its wastewater treatment facilities.

Vice-Chair Russell Jeffries asked Mr. Yaroslavski if he had brought any photographs of the site to illustrate the steep topography of the area. Mr. Jeffries pointed out that there are sensitive creeks near the facility. Mr. Jeffries also asked what the proposed timelines are for implementing the work. Mr. Yaroslavski said that grading for the new leachfield had already begun and will be finished in May.

Mr. Jeffries requested that the Board hear another update in September. Mr. Daniels advised that staff needs to keep on top of the situation to ensure compliance.

(Chairman Young returned to the meeting at 9:20 a.m.)

9. Enforcement Report ..... Status Report

This is a written report. Mr. Briggs noted that some sites that had multiple violations were included with comments on the blue sheet at the front of the list. Mr. Daniels noted BOD violations for the Rancho San Carlos facility in addition to the salt problems noted by staff. Harvey Packard addressed questions.

Mr. Briggs noted that although the facility has had BOD violations, they are not very far over a very strict limitation, and the effluent quality was still pretty good even though in violation. Staff will be bringing this set of requirements back to the Board for proposed revisions.

10. Furtado Dairy, Gilroy, Santa Clara County ..... Order No. 2004-0019
[Matthew Keeling 805/549-3685]

Mr. Briggs announced that the Furtado Dairy waived the hearing and paid their penalty so no hearing will be held. Some Board members indicated that this discharger should have had a higher penalty due to persistent non-submittal of reports. Mr. Briggs said staff's intent was to start low and issue a more severe penalty complaint if compliance is not greatly improved.

11. Sonoma Pacific Co., Monterey County ..... Order No. 2004-0025
[Jennifer Bitting 805/549-3334]

Chair Young read the opening statement and Jennifer Bitting summarized the status: continued non-compliance by Sonoma Pacific. The Board directed Regional Board staff to rescind the proposed ACL and draft a Complaint to assess a penalty of more than the mandatory minimum $1,000 for failure to submit the Industrial Storm Water Permit Annual Report for a closed Sonoma Pacific Company facility located in Salinas. The Board wishes to have more discretion in this case and similar cases to assess a higher penalty. Sonoma Pacific representatives were not present for the hearing.

MOTION: Bruce Daniels moved to direct the Executive Officer to withdraw Complaint No. 2004-0025 and reissue a Complaint with a higher penalty amount including the discretionary penalties. SECONDED by Daniel Press. CARRIED – Unanimously (6-0)

(Chairman Jeffrey Young announced a break at 9:52 a.m. The meeting reconvened at 10:03 a.m.)

12. Paul Trucking Co., Santa Cruz County ..... Order No. 2004-0027
[Jennifer Bitting 805/549-3334]

Chair Young read the opening statement. Jennifer Bitting explained that Paul Trucking did submit the annual report after the Executive Officer issued the complaint. Paul Trucking representatives were not present for the hearing. The Board assessed a penalty of $1,000 for failure to submit the Industrial Storm Water Permit Annual Report in a timely manner for a Paul Trucking Company facility located in Watsonville.

MOTION: Bruce Daniels moved to approve Order No. 2004-0027. SECONDED by Leslie Bowker. CARRIED – Unanimously (6-0)

15. Smelt/Locatelli Timber Harvest Plan No. 1-04-008 SCR, Santa Cruz County ..... Resolution No. 2004-0011
[Bill Arkfeld 805/ 542-4627]

This item was presented first because Mr. Smelt needed to leave as soon as possible due to health problems. Staff engineer Bill Arkfeld presented background information for the site and the reasoning for the monitoring and reporting program. Staff showed photographs of three unstable areas that will be photo monitored. Staff summarized the comments that were received and discussed the cost of monitoring. The Executive Officer recommended approval of this waiver provided the turbidity monitoring be dropped, a

"roads inventory" assessment be prepared and regularly updated, and some other minor changes.

Written and verbal comments were received. Significant comments from the environmental activists included:

- Turbidity monitoring needs to be occurring at the peak of the hydrograph of each significant storm.
- Waste discharge requirements should be utilized and not waivers.
- The Board should not base decisions on the economic impact of the monitoring requirements.
- Fees should be collected to fund Regional Board staff.

Comments from the timber harvest industry included:

- The landowners and foresters have a long history of good land stewardship.
- Non-timber sources of sediment should be investigated and controlled.
- Proposed monitoring for turbidity is not effective.
- The monitoring costs are too high and unjustified.
- Regional Board staff should increase their field presence.

MOTION: Russell Jeffries moved to approve Resolution No. 2004-0011 with the following changes: eliminate turbidity monitoring and add a roads inventory assessment to the waiver. SECONDED by Daniel Press. CARRIED – (5-1) Bruce Daniels voted no.

13. RMC 2004-2006 Timber Harvest Plan, No. 1-03-082 SCR, Santa Cruz County .....Resolution No. 2004-0009
[Bill Arkfeld 805/ 542-4627]

Staff engineer Bill Arkfeld presented background information and the reasoning for the monitoring and reporting program. Staff showed photos of potential sources of sediment delivery to surface waters (failed crossing, poorly drained road, wild board damage) and examples of how RMC is improving their property (avoid wetlands, BMPs for erosion sources, and restoring through cut roads). Staff summarized the comments received. The Executive Officer recommended approval of this waiver provided the up and downstream turbidity monitoring is removed from the waiver and other minor changes.

Verbal comments were received. Significant comments received from the environmental activist included:

- The San Vicente Creek Watershed is highly impacted.
- Town of Davenport trucked in water for 16 days in 2002 at a cost of $25,000.
- RMC is an industrial landowner and should not be given the same consideration as David Smelt.
- Not all roads are mapped (I.e., old roads no longer in service)
- Water column monitoring needed for RMC.

Significant comments from the timber harvest industry included:

- RMC supplies Davenport with water at zero cost to the residents.
- RMC supports visual monitoring.
- Water column moniotirng is more appropriate I the context of a scientific study like the one on-going at Little Creek (Cal Poly). The cost of the Little Creek study is 70 to 100 thousand dollars per year.
- RMC representatives asked that temperature monitoring be dropped after the first year if no evidence of a water quality concern is found.
- RMC will face a staff shortage due to the monitoring requirements.

MOTION: Bruce Daniels moved to approve Resolution No. 2004-0009 and to remove up and downstream turbidity monitoring from the waiver. SECONDED by Russell Jeffries. CARRIED – (5-1) Jeffrey Young voted no.

14. Bartlebaugh Timber Harvest Plan, No. 1-03-071 SCR, Santa Cruz County.....Resolution No. 2004-0010
[Bill Arkfeld 805/ 542-4627]

Staff engineer Bill Arkfeld presented background information and the reasoning for the monitoring and reporting program. Staff showed photos of two unstable areas and an example of a class II watercourse. Staff briefly summarized the comments received. Staff discussed the cost of monitoring including an estimate of the cost of the proposed monitoring plan. The Executive Officer recommended approval of this waiver provided a "roads inventory" assessment be prepared and regularly updated, and other minor changes.

Verbal comments were received. All comments were comparable to those received for Item 15. The Board requested a workshop later this year; possibly in August. Bud McCrary from Big Creek Lumber Company invited the Board to hold the meeting in the Scotts Creek watershed in order to see timber harvest lands.

MOTION: Bruce Daniels moved to approve Resolution No. 2004-0010 to include the photo-point language change, the April 30th date, and addition of a roads inventory assessment. SECONDED by Daniel Press. CARRIED – Unanimously (6-0)

17. Goleta Sanitary District, Santa Barbara County.....Resolution No. 2004-0053
[Gerhardt Hubner 805/542-4647]

Chairman Young recused from this item. Vice Chair Jeffries assumed control of the meeting. Executive Officer Roger Briggs proposed that instead of acting on proposed Resolution No. R3-2004-0053, the Regional Board adopt a motion to revise Paragraph No. 3 of the existing Resolution No. R3-2002-0077. Board Counsel Lori Okun suggested revising Paragraph No. 3 by deleting the requirement for the Discharger to submit a modified NPDES permit application within 45 days after the State Board issues a decision agreeing with Resolution No. R3-2002-0077, and replacing it with the requirement to submit a modified NPDES permit application to the Regional Board by May 7, 2004.

MOTION: Daniel Press moved to approve Resolution No. 2004-0053. SECONDED by Leslie Bowker. CARRIED – Unanimously (5-0) Note: Jeffrey Young recused from this item.

(Jeffrey Young returned to the meeting)

18. Perchlorate Cases.....Status Reports

Staff presented a status report of perchlorate contamination in Santa Clara and San Benito Counties to the Regional Board. Sites discussed include Whittaker Corporation's Former Ordnance Hollister Facility, the McCormick Selph site and Olin Corporation's Morgan Hill Facility.

Dr. David Ting, representing the Office of Environmental Heath Hazard Assessment, discussed the recently released perchlorate Public Health Goal. He noted that the Public Health Goal (PHG) was established at 6 ppb on March 12, 2004. He summarized the process used to establish the PHG and the sensitive population it is

meant to protect. He noted that the PHG was set so that the uncertainty factor took into account the most sensitive populations, which currently include pregnant women, children and unborn children. He said the PHG is set so that there would not be more than a 5% change in thyroid function over a 50-year period of ingestion. Board Member Bruce Daniels asked if perchlorate causes cancer. Dr. Ting replied that it does not directly cause cancer but is suspected of aiding cancer development by disrupting thyroid function. Executive Officer Roger Briggs asked if there would be a cumulative effect of eating vegetables irrigated with perchlorate tainted water and drinking the same 6 ppb water. Dr. Ting replied that there have not been a lot of studies done on vegetables so that information is unknown at this time. However, drinking water with 6 ppb of perchlorate apparently poses no long-term threat to health. Board Member Bruce Daniels sought to clarify Mr. Briggs' question by asking what level was appropriate for crops. Dr. Ting again cited the lack of data and could not give an answer to the question.

Lastly, Dr. Ting mentioned that the State Department of Health Services subsequently set the Action Level at 6 ppb. He then explained that Public Health Goal is required by law and is considered by the State Department of Health Services when it establishes a Maximum Contaminant Level (MCL). Establishing an MCL may take at least a year, according to Dr. Ting.

Regional Board staff member David Athey provided a short status report that included information on the operation of the onsite groundwater extraction system, soil cleanup, the Morgan Hill Tennant Well letter, and City of Gilroy monitoring issues. Board Member Bruce Daniels asked Mr. Athey if the fourth Quarter 2003 monitoring report had been reviewed. Mr. Athey responded that the report has been reviewed and he is waiting for comments from the Santa Clara Valley Water District, before sending out Regional Board comments.

Curt Richards from Olin Corporation introduced Dr. Richard Pleus from Intertox, Inc. Dr. Pleus, a human health and environmental toxicologist, presented findings of the Greer et al. perchlorate health effects research paper, *Health Effects Assessment for Environmental Perchlorate Contamination*. Dr. Pleus noted that the Greer study found no appreciable decline in iodine uptake at levels corresponding to 245 ppb of perchlorate in drinking water. Mr. Pleus noted that the University of California peer review and the University of Nebraska Medical Center both consider perchlorate non-carcinogenic and not an immediate health threat. Board Member Bruce Daniels asked whether the effects of drinking water with perchlorate and eating vegetables grown with perchlorate tainted water cause an additive or synergistic effect on the consumer. Mr. Pleus replied that the effects are additive and are not synergistic. Mr. Daniels also asked what group was used as the test population. Mr. Pleus responded that the Greer study tested healthy adults, consisting of men and women in their thirties. Mr. Daniels asked what the studies length was. Dr. Pleus replied that it was run for 14 days. Mr. Daniels asked if this was a long enough period of time. Dr. Pleus responded that it was actually a fairly long study and that the Greer study found no decline in iodine uptake during that 14-day period. Dr. Pleus finished by saying that they were searching for very small changes in thyroid function, which would have been picked up in 14 days.

Other speakers included Richard Santos and Tracy Hemmeter representing the Santa Clara Valley Water District and the Perchlorate Working Group. Mr. Santos shared his concerns regarding the perchlorate contamination and that it be cleaned up. Mr. Santos also mentioned that significant unknowns still exist and should be addressed as soon as possible. Tracey Hemmeter urged the Board to require Olin to clean up groundwater to background conditions. She also mentioned that long term water supply alternatives be required at the public health goal of 6 ppb, that the investigation of the offsite contamination include dedicated monitoring wells, that the project is time sensitive and requires a Cleanup and Abatement Order which addresses all contamination issues submitted in their previous correspondence, and is concerned that the use of offsite public supply wells for monitoring is inadequate. Board Member Bruce Daniels said that he was also concerned with the use of supply wells for monitoring wells.

Sylvia Hamilton, the Perchlorate Community Advisory Committee chair woman expressed her gratitude towards Regional Board staff and

acknowledged the hard work of PCAG, Olin and the Regional Board. Ms. Hamilton said that more work needs to be done on the offsite plume cleanup and reiterated that long-term alternative water needs to be supplied as soon as possible.

Andria Ventura, representing Clean Water Action, expressed concern that the recently established Public Health Goal may not be sufficiently low to ensure public health protection.

Board Member Bruce Daniels asked Regional Board Counsel Lori Okun to clarify Resolution 92-49 and if it requires cleanup to background. Ms. Okun replied that it does, however, it also allows for a level less than background when it is economically or technically infeasible.

20. Clear Creek and Hernandez Reservoir Mercury TMDL ..... Resolution No. 2004-0029
[Doug Gouzie 805/542-4762]

Mr. Briggs introduced the Clear Creek and Hernandez Reservoir Mercury Total Maximum Daily Load item, and said Dr. Gouzie had a short statement to make and is available for questions.

Chair Young noted he had no comment cards and asked if anyone was present who wished to comment on the item. No commentors came forward. Staff member Dr. Gouzie noted Bureau of Land Management staff member Mr. Tim Moore was available for any questions. The Board had no questions of Mr. Moore.

MOTION: Bruce Daniels moved to approve Resolution No. 2004-0029. SECONDED by Don Villeneuve. CARRIED – Unanimously (6-0)

19. Corrective Action Approval ..... Status Report
[John Mijares 805/549-3696]

This was a written report. The Board had no questions.

23. Reports by Regional Board Members ..... Status Report

Chairman Young submitted a written report.

24. Executive Officer's Report ..... Information/Discussion

Executive Officer Briggs reported that the DeLaveaga Golf Course has reduced its planned grading by 75% because they will be working on greens and tees only – no regrading of fairways. Our staff also checked on the pesticides fumitoxin and benval that were addressed specifically at a previous meeting. These products should not pose any significant risk to receiving waters. Information provided from the CCAMP program indicated that chlordane level was elevated (this is a legacy pesticide that was banned in the 1980's).

Arana Gulch resident Lori Hobbs said her September letter wasn't completely answered by staff and she was still concerned about several problems in the watershed. She said that the proposed grading might have been cut back because the City is trying to hide something.

Board Member Jeffries said he appreciated staff following up with a report to the Board but was disappointed in its content. He said staff should

get ten years of pesticide application data from the Ag Commissioner and sample the creek. He said Twin Lakes is posted as closed and he wondered why. He said he too was suspicious of the City cutting back on grading plans after staff started asking questions.

Mr. Briggs said the original concerns expressed about this site were primarily about erosion and excessive sedimentation from proposed mass grading. Consequently, he thought it was good news that the grading plan was reduced by 75%. He said he presumed Twin Lakes was closed for bacteria, rather than pesticides. He also pointed out the written report by staff Karen Worcester that discussed upcoming staff sampling of all of the harbors in the region. If results warrant follow-up in any specific watershed, staff will do so. He proposed four actions as further follow up by staff for Arana Gulch:

1. Check staff's answers to Ms. Hobbs' letter and provide any more information that we have to answer her letter.
2. Ask the Ag Commissioner for pesticide/herbicide data for the last 10 years for this site.
3. Check on Twin Lakes closure reasons.
4. Have the City sample soils (that are to be graded) for pesticides to see if elevated levels should prompt extraordinary erosion control measures as part of the City's Stormwater Pollution Prevention Plan.

Board Members expressed concurrence with this recommendation.

Staff senior engineer Chris Adair said a supplemental sheet is provided for the Santa Cruz Harbor District dredging issue. The Notice of Violation for the discharge in the harbor and for the discharge not in compliance with the 401 Water Quality Certification (300 yard criterion) is also attached. Several letters regarding chlordane and the Notice of Violation for the dredging operation are also attached.

Comments on the Santa Cruz Harbor District dredging project were made by the individuals below:

Brian Foss, Santa Cruz Harbor District (SCHD), said SCHD dredging spoils are discharged within the allowed rectangular area east of the east jetty.

Kathy Shortley said he is concerned with sediment contamination from Arana Gulch and kids playing in the dredge spoils.

Isabel Gloege said she was glad to hear about the Regional Board testing the harbors. She said the Regional Board shouldn't keep extending certification and the Board should have a workshop on the harbor issues.

Paul J. Cogswell said the upper harbor is toxic. Jeremiah Specker, Surfrider Foundation, expressed concern about exposure to dredged spoils.

Lance King, Community Solutions, said others besides the SCHD should test the sediments and monitor dredging.

Patricia Matejcek, Sierra Club/AGWA, said there was a gun range up in the watershed and the City tested and found lead. She started the Arana Gulch watershed group. Bruce Daniels asked her what she recommended the Board do in cooperation with the County. Ms. Matejcek said the Board should meet with the two County supervisors for the area to go over sediment, pathogen, and ag runoff issues. Mr. Daniels said he for one would be glad to meet with the supervisors if Ms. Matejcek would write down her understanding of the issues. Ms. Matejcek said she would do so. Richard Rivoir, said the dredged spoils should be discharged offshore, not on the beach.

Chairman Young appointed a Board subcommittee to meet with Santa Cruz county supervisors and the appropriate City Counsel Member to encourage the County and City to participate in protecting Santa Cruz harbor water. Vice Chair Jeffries and Board member Daniels will be the subcommittee members.

Vice Chair Jeffries suggested having the meeting for conditional agricultural waivers in Watsonville on a Thursday afternoon before the regular Board meeting rather than as scheduled at the May meeting. Mr. Briggs suggested, and the Board concurred, that the Board give him a chance to review the upcoming agenda for the May and July Board meetings before making a recommendation

to Chair Young on the date. Board member Daniels indicated a preference for the July meeting as well, since he will not be able to attend the May meeting.

Mr. Briggs noted that a written report was provided on the Fish Habitat Protection Measures in Santa Cruz County. An update was also provided on the Carmel Area Wastewater District Outfall. He also pointed out an editing error regarding an address in one of the Basin Plan Exemption segments.

Mr. Briggs reported that Regional Board staff Kimberly Gonzalez, with assistance from Amanda Bern, provided a conditional agricultural waiver class in Spanish. Forty to fifty people attended the class. Additionally, staff member Amanda Bern, presented at a Spanish Agricultural Expo in Watsonville to more than 100 growers on the conditions that we are considering for the new waiver and water quality problems associated with agriculture. The Advisory Panel continues to meet and has been making strides and has concluded that the cooperative monitoring approach is the best way to go. Vice Chair Jeffries asked about "phasing in" certain parts of the agricultural waivers. He is concerned about the staff being overwhelmed by the large numbers of waivers coming in for processing. He suggested working on waivers with large problems first and phase in the others as the process moves along. Vice Chair Jeffries asked if staff have developed a plan to accomplish the task. Mr. Briggs reported that staffing is a major concern since there is an estimated 2500 operations to cover. One of the things that staff has discussed is the provision for up front funding. Staff is also planning to set up a web based database for the agricultural waivers and the monitoring program. This should help with dealing with the large number of waivers that will need to be processed. Staff will also develop a variety of monitoring scenarios for different sizes of operations, water quality problem areas, low threat areas, and costs, for purposes of creating a better understanding of the monitoring proposal.

(Board member Villeneuve left the meeting at 6:50 p.m.)

Board member Daniels asked about the definition of an operation and noted that this was something that the Board would need to address. He also Chairman Young adjourned the meeting at 7:20 p.m.

asked about variability issues. Board member Jeffries asked about changes in waivers from lease operations changing hands, for example. Lori Okun provided clarification on procedures for the waivers.

The following individuals had comments:
Chris Bunn, Crown Packing Company, said monitoring should be in impaired areas, not all over the region. Then work on solving those problems.

Laura Plaskett, LP Consulting, provided copies of her proposed monitoring program, and agreed with the idea of delaying Board consideration until the Watsonville meeting. She said the monitoring program proposes treating some data as confidential. Board counsel Lori Okun said the proposed language is very similar to a proposal in the Central Valley that was determined to be illegal. She said she would provide appropriate citations for Ms. Plaskett.

Nancy Isakson, N. Isakson Consulting, said Monterey County Water Resources Agency has a confidentiality agreement for well data that she could share. She and Ms. Plaskett showed a map of our region with a lot of monitoring points. Mr. Daniels said he would guess that a lot of those monitoring stations collect inconsistent data that is of limited usefulness for this purpose. Mr. Briggs said that in fact is the case, and there are only a few professional level programs that are on going with appropriate data quality. For example, there are very few monitoring stations for pesticides or toxicity. Those that do exist are very geographically limited.

Mr. Briggs announced that the WQCC meeting will be held on April 19, 2004, in Sacramento.

The meeting was audio recorded and the minutes were reviewed by management, and approved by the Board at its May 14, 2004 meeting in San Luis Obispo, California.

Jeffrey Young, Chairman

H/ALLMYDOCS/BOARD MINUTES/MAR04mins/carol